



भारत का राजपत्र The Gazette of India

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं० १७]

नई दिल्ली, शनिवार, अप्रैल २२, १९७२/वैशाख २, १८९४

No. 17]

NEW DELHI, SATURDAY, APRIL 22, 1972/VAISAKHA 2, 1894

इस भाग में भिन्न पृष्ठ रखवा दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड ३—उपखण्ड (ii)

PART II—Section 3—Sub-section (ii)

(रक्षा मंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों और (संघ क्षेत्र प्रशासन को छोड़कर)

केन्द्रीय प्राधिकरणों द्वारा जारी किये गए विधिक आदेश और अधिसूचनाएं।

Statutory orders and notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administration of Union Territories.)

MINISTRY OF LABOUR AND REHABILITATION

(Department of Labour and Employment)

New Delhi, the 7th April 1972

S.O. 976.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Hyderabad, in the industrial dispute between the employers in relation to the management of Singareni Collieries Company Limited, Post Office Balampalli (Andhra Pradesh), and their workmen, which was received by the Central Government on the 29th March, 1972.

BEFORE THE INDUSTRIAL TRIBUNAL (CENTRAL) AT HYDERABAD

PRESENT:

Sri P.S. Ananth, B.Sc., B.L.,
Chairman, Industrial Tribunal,
Andhra Pradesh, Hyderabad.

MISCELLANEOUS PETITION No. 293 of 1968

IN
INDUSTRIAL DISPUTE No. 30 of 1967

BETWEEN:—

1. Ch. Lakshman,
2. Bonda Rayamallu,
3. G. Kotalah.
4. G. Tarapati.
5. Ch. Rajanarsu,

6. D. Ramulu,
7. T. Bhimaiah,
8. P. Rajanarsu.
9. G. Ilayya,
10. Nasar Mohammed.
11. Shaik Yakub,
12. P. Rajam,
13. M. Narayana,
14. Sayed Mohammed,
15. Babu Khan,
16. Mohd. Ismail,
17. D. Oudetu
18. K. Kesavulu,
19. B. Ramulu.
20. M. Simhadri,
21. M. Maisulu,
22. P. Rajalingu,
23. L. Irailah.
24. K. Posham,
25. M. Suraiah,
26. K. Ayelas.
27. G. D. Kakkaiah,
28. G. Komaralah,
29. P. Lakshminarayana,
30. K. Sala.

31. M. Durgaiah,

32. I. Setty,

—Petitioners.

AND

The Singareni Collieries Co., Ltd., Kothagudem,
represented by its General Manager.—Respondent.

APPEARANCES:

Sri M. Komariah, General Secretary, Singareni
Collieries Workers' Union for Petitioners.
Sri M. V. Ramakrishna Rao, Assistant Person-
nel Officer, Singareni Collieries Co., Ltd.—for
Respondent.

AWARD

This is a petition filed under Section 33A of the Industrial Disputes Act, 1947 (hereinafter referred to as the said Act) praying to direct the Management not to affect the service conditions of the petitioners.

The petitioners are the workmen employed under the respondent, which is the Singareni Collieries Company Limited, Kothagudem. In their petition they contended that they have been permanent workmen employed under the respondent Company as Boring Mazdoors, that all of them belonged to Category II as per the Wage Board Recommendations, that I.D.No.30 of 1967 is pending for adjudication, that they are directly connected and concerned with that dispute, that the respondent has without obtaining prior permission of this Tribunal has notified by notice dated 22nd November 1968 under Section 9A of the said Act proposing to alter the service conditions, that the respondent is not entitled to arbitrarily change the service conditions and so the petitioners are obliged to file this petition and that the respondent should be directed not to give effect to the proposed change in the service conditions.

3. The respondent filed a counter mentioning the circumstances under which the settlement was effected between the respondent and the unions, and further contended that the petitioners were transferred as Coal Filers, that though there was no necessity for the Management to issue any notice under Section 9A by way of abundant precaution, the notice was issued, that the case of the petitioners is not pending in I.D. No. 30 of 1967 and so the petitioners cannot invoke the jurisdiction of this Tribunal and that the action by the Management is justified and legal.

After the filing of the counter in this case, the matter underwent some adjournments due to unready-ness of the parties and also because the powers under Section 8 of the said Act were not received from the Central Government. After the powers were received under Section 8 of the said Act the matter was posted for enquiry and a representation was made on 17th January 1972 by the respondent's representative that the petitioners are not interested in going on with the petition as their grievances had been regressed. Since the petitioners' representative was not in a position to say whether the matter had been settled he took some time to verify the matter came up report to this Tribunal. Finally when the matter came up before this Tribunal on 8th February, 1972 a petition was filed by the General Secretary of Singareni Collieries Workers' Union Kothagudem, stating that the case was settled mutually between the Management and the Union and so the Union is not pressing the matter before this Tribunal.

5. In view of the present petition filed stating that the matter had been settled mutually between the petitioners and the respondent, there is nothing else that could be done in this matter. So the matter is treated as settled.

Award is passed accordingly.

Dictated to the Stenographer, transcribed by him and corrected by me and given under my hand and the seal of the Tribunal, this the 8th day of February, 1972.

(Sd.) P. S. ANANTH,
Industrial Tribunal.

[No. 7/21/67-LRII.]

New Delhi, the 10th April 1972

S.O. 977.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Hyderabad, in the industrial dispute between the employers in relation to the management of Singareni Collieries Company Limited, Post Office Kothagudem (Andhra Pradesh), and their workmen, which was received by the Central Government on the 29th March, 1972.

BEFORE THE INDUSTRIAL TRIBUNAL (CENTRAL)
AT HYDERABAD

PRESENT:

Sri P. S. Ananth, B.Sc., B.L., Chairman, Industrial
Tribunal, Andhra Pradesh, Hyderabad.

MISCELLANEOUS PETITION No. 91 OF 1971

IN

INDUSTRIAL DISPUTE No. 30 OF 1967

BETWEEN:—

- | | |
|----------------------|-------------------------------|
| 1. Kopparthi Ankaiah | |
| 2. Perka Lingiah | |
| 3. Ankam Bondialu | |
| 4. Shaik Hyder | General |
| 5. Kandunuri | Mazdoors, |
| Lingalah | Shantikhanl, |
| 6. Choppari | S.C. Co., Ltd., |
| Venkateshwaralu | P.O. Bellampalli.—Petitioners |
| 7. Pamula Ankulu | |
| 8. Akireddi Rajam | |
| 9. Banna Malliah | |

AND

The Manager, Shantikhanl, Singareni Collieries
Co., Ltd., P. O. Bellampalli.—Respondent.

APPEARANCES:

Sri K. Satyanarayana, Advocate, for Petitioners
Sri M. Shyam Mohan, Personnel Officer, S.C.
Co., Ltd., P.O. Bellampalli.—Respondent.

AWARD

1. This is a petition filed under Section 33A of the Industrial Disputes Act, 1947 (hereinafter referred to as the said Act).

2. The contentions of the petitioners in their petition in short are these—There is reference I.D. No. 30 of 1967 (in the petition the I.D. No. is wrongly mentioned as I.D. No. 30/47) pending before this Tribunal. The Petitioners are also workmen covered by the said reference. The respondent issued order dated 15th September, 1968 transferring the petitioners from time rated category I General Mazdoors to piece rated fillers. This alteration in the employment of the petitioners has altered all the service conditions including payment of wages, quantum, mode of payment, nature of duties and the risks involved all being matters connected with the dispute, to the prejudice of the workmen concerned and so the respondent has contravened the provisions of section 33 of the said Act. One Mekala Jagadish and eleven other time rated workmen affected by the

same order dated 15th September, 1968 had already approached this Tribunal with their complaint under M.P. 265/68 and the said complaint resulted in an agreement and the said workmen had been restored to their original status by an agreement dated 19th April, 1971. So the petitioners may be granted the necessary relief.

The respondents' contention in its counter in short are these:—The designation shown as General Mazdoors by the petitioners in the claims statement is false and misguided as they were only Tunnel Mazdoors. The petitioners are workmen concerned in the dispute but not connected with the dispute. The Management in accordance with Rule 34 under Section 9A of the said Act by the notice dated 30th May, 1968 in Form E informed all the resistered Trade Unions and the Regional Labour Commissioner (Central) Hyderabad, that it was its intention to effect the change specified in the annexure of the notice with effect from 21st June, 1968. There is no alteration the conditions of service to the prejudice of the workmen and no adverse effect is caused to the workmen as they stand to gain in their emoluments as the wages of the piece rated workmen are higher. The workmen have no cause to complain as the Central Wage Board Recommendations for the Coal Industry are implemented in respect of piece rated workmen's wages. The agreement referred to in the counter with other workmen does not apply to the petitioners. The practice in vogue is to transfer piece rated workmen to piece rated fillers whenever there is necessary or whenever the Tunnel work is completed to find employment for workmen thus rendered surplus. There is no change in their duties as both jobs are unskilled under the same underground conditions of work. The workmen are not exposed to greater risks either in tunnelling or in extracting coal as a piece-rated or time rated worker. So there is no prejudice caused to the workmen and the complaint is not genuine. It is inherent right of the Management to transfer its workmen from one category to another category or from one job to another job as long as there is no reduction in emoluments under the Standing Orders of the Company. The transfer of the workmen is covered by terms expressed or implied and by word agreements under Section 33(2)(a) of the said Act. The liability of the workmen to be transferred from one department to another or from one category to another is an ordinary incident of service and such transfers cannot amount to the contravention of Section 33 of the said Act. It is internal function of the Management to transfer its employees from one work to another work.

3. The point that arises for determination in this petition is: Whether there has been any contravention of Section 33(1) (a) of the said Act and whether the order dated 15th September, 1968 transferring the petitioners as piece rated fillers is liable to be set aside?

4. The respondent is the Singareni Collieries Company Limited, Bellampalli. The petitioners were previously working as Tunnel Mazdoors in Shanti Khani, as seen from the evidence though the petitioners described themselves in the petition as General Mazdoors. The petitioners and other were transferred as piece rated fillers by the order of the respondent dated 15th September, 1968. Now the petitioners have filed this petition questioning the order passed by the respondent. The first contention of the petitioners is that as I.D. No. 30 of 1967 is pending between the service conditions etc., are connected with the respondent cannot pass any order transferring them as piece rated fillers and that such an order is in contravention of Section 33(1) (a) of the said Act. The contention of the respondent is that no doubt I.D. No. 30 of 1967 is pending but that the present dispute relating to the present petition is not a matter connected with I.D.

No. 30 of 1967 and that all that can be said is that the petitioners are workmen concerned in that dispute and so there is no violation of the provisions of Section 33 (1) (a) and that the respondent has taken action only under Section 33 (2) (a) of the said Act after issuing the necessary notice under Section 9A of the said Act.

5. Now it has to be seen whether under the circumstances of this case it can be said that the present order of the respondent transferring the petitioners as piece rated fillers is in contravention of the Section 33(1) (a) of the said Act. In order to appreciate the contentions of the parties, it would be useful to refer to the dispute which is the subject matter of I.D. No. 30 of 1967. The Government of India, Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) by its Order No. 7/21/67-LRII, dated 30th October, 1967 referred the following dispute under Section 10(1)(d) of the said Act for adjudication by this Tribunal, namely:

"Subject to the views expressed and recommendations made by the Central Wage Board for Coal Mining Industry, and the agreement between the Management of Singareni Collieries Company Limited and their trade unions referred to, in paragraphs 3 to 6 of Chapter IX of the Wage Board's report, what further modifications and changes in the categorisation and wage structure recommended by the said Wage Board for West Bengal and Bihar coal fields are necessary to make the said categorisation and wage structure applicable to the workmen of the Singareni Collieries Company Limited, having regard to the special conditions obtaining in the Andhra Pradesh coalfields."

This Industrial Dispute is pending. A perusal of the dispute covered by I.D. No. 30 of 1967 shows that this Tribunal is requested to adjudicate on the question as to what further modifications and changes in the categorisation and wage structure recommended by the wage board for West Bengal and Bihar Coal fields are necessary to make the said categorisation and wage structure applicable to the workmen of the Singareni Collieries Company Limited.

6. Now considering the nature of the dispute covered by I.D. No. 30 of 1967 if the petitioners are General Mazdoors and if they had been transferred as piece rated fillers underground then there may be some scope for the contention of the petitioners that such a transfer is in contravention of the provisions of Section 33(1) (a) of the said Act, because there is bound to be change in service conditions. But from the evidence it is seen that the petitioners worked only as Tunnel Mazdoors underground and now they have been transferred as piece rated fillers underground. It is contended by the learned counsel for the petitioners that so far as the Tunnel Mazdoors are concerned they are under category I as per the Wage Board and that there is no separate category for piece rated filler's job and so there is change in the service condition and that if the petitioners are continued in category I they would be entitled to whatever benefits that they may derive in the event of any award being passed in I.D. No. 30 of 1967 in their favour. I feel that this contention may hold good if the petitioners had been working as General Mazdoors working on surface. I have already observed that the petitioners had been working only as Tunnel Mazdoors underground and now the respondent has transferred them as piece rated fillers underground. No doubt it may so happen that due to this transfer so far as the wages is concerned from daily rated they become piece rated but it is now seen from Ex. R1 that it is because there was no further Tunnel work that could be given to Tunnel Mazdoors the res-

pondent instead of sending them away for want of job issued the necessary notice and transferred them as coal fillers. No doubt it is contended by the learned counsel for the petitioners that if there is no work then the respondent should have taken steps to re-trench them after following the provisions of Section 25F of the said Act. But I do not feel that simply because the respondent without invoking the provisions of Section 25F had given some alternative appointment there had been violation of the provisions of Section 33 (1) (a) of the said Act. The respondents' representative also contended that under Standing Order 15 of the Company's Standing Orders (copy of the Standing Orders was produced before me for my perusal at the time of arguments) the employees are liable to be transferred from one section to another section also. In order to appreciate his contention Standing Order 15 is extracted here and it is as follows: "15. All employees are liable to be transferred from one department to another or from one section to another or from one colliery to another under the same management provided such transfer does not cause any prejudice to their wages and other conditions of service".

7. Now it is seen that so far as the petitioners are concerned they have been working only as Tunnel Mazdoors underground and now they have been transferred as piece rated coal fillers underground. Under Section 33(2)(a) of the said Act during the pendency of any proceedings before the Industrial Tribunal in respect of an industrial dispute the employer may, in accordance with the Standing Order applicable to workman concerned in such dispute alter, in regard to any matter not connected with the dispute, the conditions of service applicable to that workman. Now it is seen that the respondent has taken action only under Section 33(2)(a) of the said Act and that before taking that action the respondent has also issued the notice under Section 9A of the said Act as seen from Ex. R1. Under the circumstances of this case it cannot be said that the dispute raised by the petitioners is directly connected with the dispute pending in I.D. No. 30 of 1967 so far as the nature of work done by them is concerned and all that can be said is that they are only concerned in the dispute.

8. The petitioners have now filed Ex. P1 to show that some of the other Tunnel Mazdoors who were also transferred along with the petitioners as per the Order dated 15th September 1968 and who also filed a petition before this Tribunal were again given their old jobs. So far as this aspect of the matter is concerned it is contended by the respondent's representative that because at that time there were some vacancies of Tunnel Mazdoors those persons were employed in those vacancies and that if any further vacancy arises in the usual course the petitioners also would be transferred as Tunnel Mazdoors and that simply because the respondent had entered into an agreement with other workmen as evidenced by Ex. P1 it does not mean that the petitioners also should be taken as Tunnel Mazdoors even if there are no vacancies. I feel that there is force in this contention. If any vacancies of Tunnel Mazdoors arise certainly the petitioners may approach the Management and certainly the Management would consider their claims in view of the fact that the Management itself had taken back some of the workmen who had been transferred as piece rated fillers along with the petitioners. On a consideration of the material placed before me I am satisfied that in this case there is no violation of the provisions of Section 33(1) (a) of the said Act.

9. It is also contended by the learned counsel for the petitioners that there is no provisions for inter-changing the workers as seen from Chapter XV of Volume I of Central Wage Board for the Coal Mining Industry

unless there is an agreement. A perusal of Chapter XV of Volume I of the Central Wage Board for Coal Mining Industry, which deals about interchangeability, it is seen that the Board had observed that these are Management practices and that these are matters on which both the workers and the employers should apply their mind so as to evolve better and more rational methods of production. First of all in the present case it cannot be said that there had been any inter-change of any particular work. It is because there has been no work for Tunnel Mazdoors in order to find work some of the Tunnel Mazdoors were transferred as piece rated fillers. As per the Standing Order 15, already referred to, the respondent can transfer the employees from one section to another section. So there is no force in the contention that the respondent cannot transfer the petitioners as piece rated fillers.

10. The next contention urged by the learned counsel for the petitioners is that daily rated mazdoors would be getting their wages daily whereas piece rated workers will get wages only if there is work and that on days when there is no work they would not be paid any wages and so there is uncertainty so far as the wages are concerned and so the present transfer is to the prejudice of the petitioners. So far as the wages are concerned, the evidence of P.W. 1 is that as fillers on some days they get wages and that on some days they won't get any wages at all. The evidence of R.W. 1 is that as between category I and piece rated workers, piece rated workers get more wages as fillers. He has filed Ex. R3, which is the copy of the statement prepared for the year 1971 showing the payment made to seven of the petitioners as fillers. He says that Ex. R3 shows that on an average they were getting Rs. 9/- to Rs. 10/- per day. He also filed Ex. R4, which is the copy of the similar statement for the year 1970 in respect of the same seven persons and he says that it also shows that on an average they got Rs. 9.00 per day. Though according to P.W. 1 for fillers job no one will be given any daily rate on days when there is no filling work and that they would be treated as absent on those days, R.W. 1 says that on the days when there is no work shown to the fillers they are paid breakdown wages of Rs. 8.00 including allowances. He also says that dearness allowance is paid to piece rated workers and that piece rated workers get also pushing and tub allowance, lead allowance and lift allowance which allowances are not given to daily rated workers. He also says that piece rated workers also get intensive bonus which is not given to category I daily rated workers. He also says that the fillers have to work only for three hours for getting their normal wages of Rs. 11.00 to Rs. 12.00 per day whereas daily rated workers have to work for eight hours and that the piece rated workers can come and go away at any time after filling all the tubs. He also says that at Shanti Khani there are no difficulties for fillers for wage earning. He also says that there is a practice in this colliery of posting of daily rated mazdoors as piece rated fillers. Now it is suggested to him that it is only temporary daily mazdoors who used to be sent as piece rated workers as a practice and he has denied the suggestion. So from the evidence of R.W. 1 and Ex. R3 and R4 it is seen that on an average piece rated workers get more than the daily rated tunnel mazdoors. So there is no force in the contention of the petitioners that there is any prejudice caused to the petitioners in view of this transfer so far as wages are concerned.

11. It is next contended by the learned counsel for the petitioners that the coal fillers job is more hazardous than the work of the tunnel mazdoors and to its transfer is only to the prejudice of the petitioners. P.W. 1 says that the difference in the work of tunnel mazdoors and fillers is that there is no danger when working as tunnel mazdoors since there are stones

around, whereas there is danger in doing fillers work because the coal from the coal seams often fall down in lumps when doing filler's work. It is suggested to him that the danger is the same in both kinds of work but he has denied this suggestion and according to him there may be only some minor accidents for tunnel mazdoor but that there is more danger in doing filler work. According to him since category I is a lighter job he and the petitioners want this job though they may be getting less income. R.W. 1 says that if tunneling work is completed the tunnel mazdoors have to go and work as fillers that the risk is there for all those who work as tunnel mazdoors and as fillers, that when the petitioners were transferred as fillers they did not receive any complaint from them stating that their working as fillers is dangerous and that during the last four years there was no danger to or loss of limb so far as the petitioners are concerned. He has denied the suggestion that the risk is more for fillers. So from the evidence of R.W.1 it is seen that it is usual to transfer the tunnel mazdoors as fillers whenever there is no work for tunnel mazdoors and that the risk is there both for tunnel mazdoors as well as fillers and that no complaints were received from the petitioners all these years. From the evidence I am satisfied that it is only for the purpose of this case the petitioners want to contend that the risk is more for fillers than for tunnel mazdoors. When it is seen that both tunnel mazdoors as well as fillers have to work underground the risk must be the same and it cannot be said that there is more risk for fillers and less risk for tunnel mazdoors. So I do not find any force in the contention of the petitioners that the risk involved in the filler's job is more than the risk involved in the tunnel mazdoors job.

12. As already stated it is clear that it is only because of want of work for tunnel mazdoors the respondent had to transfer the petitioners and others as fillers and even in the notices Ex. R1 it had been specially mentioned that the tunnel workers could not be continued as there was no tunnel work. This fact is admitted even by P.W. 1. If the petitioners had satisfactorily proved that there was tunnel work available on the date when they were transferred as fillers and that in spite of it the respondent had want only transferred the petitioners as fillers then there may be a case for the petitioners for getting the order of transfer set aside. But it is not the case of the petitioners. The evidence in this case shows that it is because of want of tunnel work that the petitioners, instead of being sent home, were transferred as fillers.

13. For all the aforesaid reasons I hold on this point that there has not been any contravention of Section 33(1) (a) of the said Act and that the order dated 15th September, 1968 transferring the petitioners as piece rated fillers is not liable to be set aside.

14. In the result the petition is dismissed. In as much as it is represented by the respondents' representative that it is only for want of work for tunnel mazdoor that the petitioners had been transferred as fillers, the respondent can consider the question of transferring the petitioners as tunnel mazdoors as and when vacancy arises for tunnel mazdoor's job.

Award is passed accordingly.

Dictated to the Stenographer, transcribed by him and corrected by me and given under my hand and the seal of the Tribunal, this the 23rd day of February, 1972.

APPENDIX OF EVIDENCE :

Witnesses examined for Petitioner.	Witnesses examined for Respondent.
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P.W. 1 : Shri Kandunuri
Lingaih.

R.W. 1: Shri R. Richard.

Documents exhibited for
Petitioner :

Documents exhibited for
Respondent.

Ex.P. I Memorandum of settlement dt. 19-4-71 under Rules 58(4) of the I. D. Act between the Management and its workmen at Bellampalli.

Ex. R.I.: Form E notice dt. 11-5-68 issued by Bellampalli Collieries under Sec. 9A of I. D. Act in respect of some workmen with effect from 5-6-68.

Ex. R. 2 : Form E notice dt. 11-5-1968 issued by S.C. Co. Ltd., Bellampalli under Section 9A of I. D. Act to some workmen with effect from 21-6-1968.

Ex. R. 3 : Statement showing the number of musters and wages of workmen for 1971.

Ex. R. 4 : Statement showing the number of musters and wages earned by workers for 1970.

(Sd.) P. S. ANANTH,
Industrial Tribunal.
[No. 7/21/67-LRII-(i).]

New Delhi, the 11th April 1972

S.O. 978.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Hyderabad, in the industrial dispute between the employers in relation to the management of Singareni Collieries Company Limited, Ramagundam Division-II, post Office Godavari Khani (Andhra Pradesh) and their workmen, which was received by the Central Government on the 29th March, 1972.

BEFORE THE INDUSTRIAL TRIBUNAL (CENTRAL)
AT HYDERABAD.

PRESENT:

Sri P. S. Ananth, B.Sc., B.L., Chairman, Industrial Tribunal, Andhra Pradesh, Hyderabad.

INDUSTRIAL DISPUTE NO. 40 OF 1971

BETWEEN:—

Workmen of Singareni Collieries Company Limited, Godavari Khani.
AND

The Management of Singareni Collieries Company Limited, Godavari Khani.

APPEARANCES:

Sri M. Bhasker Rao, Secretary, Singareni Collieries workers Union, Godavari Khani, for workmen.

Sri M. Shyam Mohan, Personnel Officer, S.C. Co. Ltd., Bellampalli for Management.

AWARD

The Government of India Ministry of Labour, Employment and Rehabilitation (Department of Labour & Employment) by its Order No. L/2112/6/71-LRII dated 3rd May, 1971 referred the following dispute for adjudication by this Tribunal, namely:—

*Whether the management of Godavari Khani No. 6 Incline of Messrs Singareni Collieries Company Limited is justified in placing Shri Gangarapu Odely, Tyndal in Category IV as per Wage Board recommendation, if not, to what relief is the workman entitled and from what date?"

This order was received by this Tribunal on 17th May, 1971 and it was taken on file as Industrial Dispute No. 40 of 1971 and notices were issued to the parties.

2. In the claims statement it is contended that Sri Gangarapu Odely has been doing the job of Tyndal Supervisor since more than three years in Godavari Khani No. 6 Incline that he should be given Category V as per the Wage Board Recommendations, that though he was informed that promotion would be given he was not promoted and so he should be given new Category V with effect from 15th August, 1967.

3. The contentions of the respondent in its counter in short are these:—Sri Gangarapu Odely was working as gang mazdoor prior to 15th August, 1967 and he was designated as Tyndal. Subsequent to the implementation of the Wage Board Recommendation all the mazdoors who were in pre-wage board categories of III and IV working underground will be given new Category IV and designated as Tyndal vide settlement arrived at before Deputy Commissioner of Labour (Central). As the problems relating to the Tyndals were thus solved, the claim relating to the Tyndals under the claims statement put forth by the Union should be created as having been settled earlier to the implementation of the Wage Board Recommendations. The management did not have any category of workmen with the designation of Tyndal. Shri Gangarapu Odely had been designated as Tyndal and he was correctly given Category IV (new). The claim was made by the Singareni Collieries Workers Union by their letter dated 25th July, 1969 for the first time after a lapse of two years from the date of the Wage Board Recommendations. So it is only a belated plea. The claim of the workmen for promotion as Tyndal Supervisor is not based on facts. He neither worked as Gang Muccaddam nor did he enjoy old Category V. So his claim is not maintainable. It is not correct to say that he was promised any promotion.

4. When the matter was posted for enquiry on 24th January, 1972 a representation was made that talks of compromise was going on and so the matter was adjourned to 1st March, 1972. On 1st March, 1972 the parties filed a memorandum of compromise in regard to the terms of settlement and the terms of compromise were recorded. In view of the settlement arrived at an award is passed in terms of the settlement arrived at. A copy of the memorandum of compromise so shall be attached to the award.

Dictated to the Stenographer, transcribed by him and corrected by me and given under my hand and the seal of the Tribunal, this the 10th day of March, 1972.

(Sd.) P. S. ANANTH,
Industrial Tribunal.

BEFORE THE INDUSTRIAL TRIBUNAL (CENTRAL)
HYDERABAD

In the matter of I.D. No. 40/71

BETWEEN:

The workman represented by the Singareni Collieries Workers' Union, P. O. Godavare Khani, Dist. Karimnagar, A.P.—Workman.

AND

Singareni Collieries Company Limited—Employers.

Memorandum of Compromise filed by the Parties

The Government of India had referred the case of Shri Gangarapu Odely, Tyndal, GdK. No. 6 Incline in respect of his promotion as Tyndal Supervisor.

2. The Government of India made, vide their letter No. L/2112/6/71-LRII dated 3rd May, 1971, the following terms of reference. "Whether the management of Godavari Khani No. 6 Incline of Messrs Singareni Collieries Company Limited is justified in placing Sri Gangarapu Odely, Tyndal in category IV as per the Wage Board Recommendations? If not, to what relief is the workman entitled and from what date?"

3. To have continued cordial relations the Management and the workman representative Union, have had actual discussions and arrived at the following settlement on 21st January, 1972.

Terms of settlement:

(i) The management agreed to promote Sri Gangarapu Odely, Tyndal, Category IV, GdK. No. 6 Incline to work as Tyndal Supervisor in Category V with the commencing wage viz. Rs. 7.95 with effect from 1st January, 1972.

(ii) This fully and finally settles the claim of the workman.

4. This is agreed to as a special case. This case will not be cited as precedent and no future claim from anybody at any mine will be entertained.

5. The parties, therefore, pray that the Hon'ble Tribunal be pleased to pass an award in terms of this compromise.

The parties, as in duty bound shall ever pray.
Dated at Godavari Khani this day of January, 1972.

For Workman

For Employers

Sd/- N. BHASKAR RAO,
Secretary,
Singareni Collieries
Workers Union,
Godavarikhani.

1. Sd/- P. S. TEMURNAKAR
Agent, S.C. Co. Ltd.,
Ramagundum Division II.

2. Sd/- P. PAPA RAO,
Divl. Personnel Officer,
S.C. Co. Ltd., Ramagundum Division.

Witnesses :

1. Sd/- Ch. SREERAM MURTHY, Sd/- M. SHYAM MOHAN,
2. Sd/- S.T. RAVINDRAN, Personnel Officer,
Bellampalli.

[No. L/2112/6/71-LRII.]

S.O. 979.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal (No. 2), Dhanbad, in the industrial dispute between the employers in relation to the North Bhagatdih Colliery, Post Office Jharia, District Dhanbad, and their workmen, which was received by the Central Government on the 4th April, 1972.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD
PRESENT:

Shri Nandagiri Venkata Rao, Presiding Officer.

REFERENCE No. 28 of 1970

In the matter of an industrial dispute under S.10(1) (d) of the Industrial Disputes Act, 1947

PARTIES:

Employers in relation to North Bhagatdih Colliery, Post Office Jharia, District Dhanbad.

AND

Their workmen.

APPEARANCES:

On behalf of the employers.—Shri S. S. Mukherjee, Advocate.

On behalf of the workmen.—Shri B. Lal, Advocate.

STATE: Bihar.

INDUSTRY: Coal.

Dhanbad 30th March, 1972/10th Chaitra, 1893 Saka.

AWARD

The Central Government, being of opinion that an industrial dispute exists between the employers in relation to North Bhagatdih Colliery, Post Office Jharia, District Dhanbad and their workmen by its order No. 1/25/63-LR.II, dated 11th January 1965 as corrected by order No. 1/25/63-LR.II, dated 17th November 1965 referred to the Central Government Industrial Tribunal, Dhanbad under Section 10(1)(d) of the Industrial Disputes Act, 1947 for adjudication the dispute in respect of the matters specified in the schedule annexed thereto. The schedule is extracted below:

SCHEDULE

"Whether the quarry miners of the North Bhagatdih colliery are entitled to any extra remuneration for coming on loaded trucks from the working faces to the depot and for unloading coal at the depot, and, if so, at what rate and from what date?"

2. The Central Government Industrial Tribunal, Dhanbad registered the reference as Reference No. 13 of 1965 on its file. Employers as well as the workmen filed their statements of demands. While it was pending before the Central Government Industrial Tribunal, Dhanbad the proceeding was transferred to this Tribunal, by the Central Government by its order No. 8/25/67-LR.II, dated 8th March 1967 under Section 33B(1) of the Industrial Disputes Act, 1947. Consequently, the reference is renumbered on the file of this Tribunal as Ref. No. 13 of 1967. The workmen were represented by Shri Raj Bhallab Prasad, Secretary, Khan Mazdoor Congress and the employers by Shri M. M. Agarwalla, Superintendent. By consent of the workmen, Exts. M1 to M5 were marked for the employers. On behalf of the workmen 4 witnesses were examined and Exts. W.1, W.2 and W.3 for the workmen and Ext. M6 for the employers were marked. On behalf of the employers 5 witnesses were examined and Exts. M7 to M10 were marked. On this

material and after hearing arguments of parties this Tribunal made the award and submitted under S. 15 of the Industrial Disputes Act, 1947 on 27th May 1968, holding that the quarry miners of North Bhagatdih colliery were not entitled to any remuneration other than the one which they had already received for coming on loaded trucks from the working faces to the Depot and unloading coal at the depot. On the Writ petition, CWJC No. 546 of 1968 preferred by the workmen under Articles 226 and 227 of the Constitution of India, Hon'ble High Court of Patna passed the order on 9th September 1970 setting aside the award and remitted the case back to this Tribunal for a fresh hearing and disposal in accordance with the directions given in the order. On receipt of the order the reference is renumbered as Ref. No. 28/70. Workmen were represented by Shri B. Lal, Advocate and the employers by Shri S. S. Mukherjee, Advocate. MWs 3 and 4 were recalled and further cross-examined and WW.1 is recalled and further examined. On behalf of the employers two more witnesses were examined and Exts. M11 to M16 and W.4 and W.5 were marked.

3. According to the schedule of Reference as corrected by the Ministry on 17th November 1965 the affected workmen were "quarry miners". The case of the workmen is that the affected workmen were in fact quarry miners of North Bhagatdih colliery (hereinafter referred to as the colliery), that in that capacity they were entitled to get the wages of category V workmen for the work of loading coal as per the Labour Appellate Tribunal's award and that for coming on the loaded trucks from the quarry to the depot and for unloading the coal at the depot they were entitled to extra remuneration at 0.50 paise per ton. According to the workmen each truck was of the capacity of 5 tons and that the extra remuneration claimed by them should be paid with effect from 1st January 1957. The employers denied that the affected workmen were quarry miners or that they were entitled to wages of category V or to any extra remuneration for coming on the loaded trucks from the quarry and unloading coal at the depot. The employers also denied that the trucks were of 5 ton capacity; according to them the capacity of each of the trucks was 3 tons only. In their additional written statement filed on 18th December 1965 the employers had taken a preliminary objection that the affected workmen not being "quarry miners", the alleged dispute mentioned in the schedule of Reference did not exist at all and, as such no adjudication can be made by the Tribunal. Among the various directions given by the Hon'ble High Court while remitting the case to this Tribunal for fresh hearing and disposal, the first one is "to go into the question as to whether the Reference in regard to the quarry miners could be answered as it was or whether the expression 'quarry miners' used in the terms of Reference with reference to the other facts and circumstances of the case could mean the workmen concerned, namely the workmen who were truck loaders and were unloading the trucks". In view of this direction I would like to dispose of the preliminary objection raised by the employers at the outset.

4. In order to appreciate the preliminary objection the facts which gave rise to the Reference may be stated in brief. On 2nd August 1963 the Secretary, Khan Mazdoor Congress, Jharia addressed a letter, Ext. W.1 to the Regional Labour Commissioner (C) Dhanbad representing approximately 22 workmen in the loading and unloading work of trucks at the colliery and raising an industrial dispute claiming that they were to be paid the wages of category V workmen and extra remuneration at -/8/- annas per ton for going on the loaded trucks and unloading coal at the depot and for breaking the blasted coal at -/4/- annas per ton. They had also mentioned that the capacity of each of the trucks was 5 tons. In this

letter of 2nd August 1963 the Secretary, Khan Mazdoor Congress had described the affected workmen as "quarry miners (loaders)". In the comments submitted by them dated 1st November 1963, Ext. M7 the employers had specifically stated that the affected workmen were not "quarry miners (loaders)" as claimed by the union but they were really "truck loaders". In the comments it was also mentioned that the very same demands raised by Khan Mazdoor Congress through their letter dated 2nd August 1963 were raised by the Colliery Mazdoor Sangh previously through their letter dated 14th December 1962, Ext. M6 and Ext. M8 and in respect of the demands, inclusive of the present one, the Conciliation Officer had submitted his failure report, Ext. M3 on 23rd January 1963. Demand No. 1 therein was for the rate of the loaders and it was dropped and the demand No. 3 which was for the alleged separation job had already been referred to the Industrial Tribunal, Dhanbad, being Reference No. 27/63. After the comments of the employers were received and necessary enquiries were made, the Regional Labour Commissioner (C) Dhanbad submitted his failure report in the present case, Ext. M1 on 16th November 1963. After some correspondence between the Central Government and the parties on 26th February 1964 the Central Government addressed letters, Ext. M2 to the parties stating, "The Government of India do not consider the dispute fit for reference to an industrial tribunal for adjudication because the workmen in question were actually truck loaders and were being paid at par with wagon loaders as provided for in paragraph 158 of the Labour Appellate Tribunal's decision". Then, with reference to the above letter of the Central Government the Secretary, Khan Mazdoor Congress addressed again a letter Ext. W.2 to the Central Government to review its decision and to refer the dispute to an Industrial Tribunal for adjudication, asserting in clear terms that the workmen were only "quarry miners" and they should not be treated on par with "wagon loaders" in terms of the various awards. Ext. W.2 was again followed by the Secretary, Khan Mazdoor Congress by a letter, Ext. W.3 addressed to the Labour Minister directly stating therein that "the contention of the Ministry that these workers are 'truck loaders' is most arbitrary, illegal and irrealisable". Then the Central Government by its order No. 1/25/63-LR-II, dated 11th January 1965, being of opinion that an industrial dispute exists between the parties, referred the dispute mentioned in the schedule for adjudication. The schedule was as follows:—

"Whether the workmen of North Bhagatdih colliery are entitled to any extra remuneration in view of the system adopted by the management of the said colliery, for unloading coal at the depot, and, if so, at what rate and from what date?"

It is to be remembered that previously the Ministry had categorically held that the affected workmen were "truck loaders" and not "quarry miners", that the union protested and asserted that the affected workmen were "quarry miners" and not "truck loaders" and that in spite of the assertion by the union the Ministry referred the question in general terms, without using the terms "quarry miners" and "truck loaders". But consequently, by the order No. 1/25/63-LR-II, dated 17th November 1965 the Ministry chose to substitute the schedule above referred to by the following schedule:—

"Whether the quarry miners of the North Bhagatdih colliery are entitled to any extra remuneration for coming on loaded trucks from the working faces to the depot and for unloading coal at the depot, and, if so, at what rate and from what date?"

My object in discussing the above documents at such length is to show that the Ministry as well as the parties did not use the terms "quarry miners" and "truck loaders" in general and loose sense referring to the affected workmen but they have used these terms after due deliberation strictly as technical terms as they are defined and used in various Awards. The workmen assert that the affected workmen are entitled to extra remuneration for coming on loaded trucks from the working faces to the depot and for unloading coal at the depot in addition to their wages of category V in their capacity as "quarry miners". In view of the replacement of the previous schedule of the Reference by the present schedule the intention of the Ministry also is clear that the affected workmen should be considered only on "quarry miners". In view of the general terms of the previous schedule of Reference it was possible to determine that category of the affected workmen with reference to the other faces and circumstances of the case as incidental to the matters in dispute and also to decide if they were entitled to extra remuneration for doing any additional job. But it cannot be done now. If on the material on record it is found that the affected workmen, workmen who come on loaded trucks from the working faces to the depot and unload coal at the depot, are not "quarry miners", no adjudication in terms of the Reference is possible.

5. The term "quarry miners" is referred to in para 118 of the Decision of the Labour Appellate Tribunal and it is pointed out that the difference between the "quarry pick miners" and "quarry miner" is that the coal which the latter cuts has been loosened by explosives. As per para 125 of the Decision a "quarry miner" is to be paid the wages and remuneration fixed for category V workman for cutting and loading 1-2/3 tubs, i.e. 60 cft. of coal per shift on the same terms as are fixed for the quarry pick miner. It follows from the above that a "quarry miner" has to cut coal and also to load. It is now to be seen from the evidence on record if the affected workmen also were cutting the coal. Ext. M4 are the form B registers for the year 1963, 1964 and 1965. They are statutory registers maintained under S. 48 of the Mines Act and Rule 78 of the Mines Rules. These registers do not show anyone as a "quarry miner". They have the names of lorry loaders. At sl. no. 75 the name of Dinbandhu Tamria is found who is examined as WW.4. In the very first sentence of his deposition, WW.4 says that he is working as a loader in the quarry. Ext. M5 are the attendance registers also for the years 1963, 1964 and 1965. They are also statutory registers in form D maintained under S.48 of the Mines Act and Rule 78 of the Mines Rules. In these registers also designation of no workman is shown as "quarry miner" but lorry loaders are there. The name of WW.4 appears at sl. no. 20. From the very beginning the case of the employers has been that the affected workmen were only doing the job of loading trucks and nothing more and that according to the system of work at the quarry there were three groups of workmen (i) those whose duties were to make holes, after blasing to break the lumpy coal and then push the lumps down the slope of the quarry; (ii) hazri kamins whose duties were to pick out the shales from the cut coal which had settled at the quarry bottom and also to accumulate the slack and (iii) the loaders whose duty was to load the coal into the trucks and thereafter unload the same at the depot. MWs 3, 4 and 5 have tendered evidence in support of the above system. MWs 3 and 5 are categorical in their statement that the truck loaders did not do any job other than loading and unloading trucks. MW 4 is one of the truck loaders and MW. 5 is a overman incharge since 18 years. Out of the 4 witnesses examined for the workmen, MW.1 is the Secretary of the Central Khan Mazdoor Congress and he was never a workman. WW.2 is the general secretary of Khan Mazdoor Congress and he was also not a workman. WW.3 was a

driller and WW.4 one of the truck loaders. Of course, this witness WW.4 says that the loaders also were breaking big chunks of coal falling down owing to blasting. The evidence of solitary witness WW. 4 is not supported by any material and it is contradicted on oath by MWs 3, 4 and 5. No reason is shown why this evidence of this solitary witness should be preferred to the oral evidence of MWs 3 to 5 and form B and form D statutory registers. I am inclined to accept the evidence of the employers as true. Consequently, the affected workmen, who come on loaded trucks from the work faces to the depot and unload coal at the depot, as they do not cut coal at all, do not answer the definition of "quarry miners" as laid down in paras 118 and 125 of the Decisions of the Labour Appellate Tribunal and they cannot be held as "quarry miners". Shri B. Lal, the learned Advocate for the workmen has argued that the affected workmen should be treated as "loaders" and the Tribunal should proceed to determine their extra remuneration. But as "loaders" the affected workmen have no case at all. The Ministry has already found through the letter, Ext. M2 that the dispute between the affected workmen as loaders and the employers was not fit for reference. As I have already pointed out, the case of the parties and of the Ministry making the reference has been that the affected workmen were "quarry miners". To treat the affected workmen as "truck loaders" is to change the very basis of the Reference and to adjudicate a new case which is not referred. In this view I find that the reference cannot be answered.

6. The award is made accordingly and submitted under Section 15 of the Industrial Disputes Act, 1947.

(Sd.) N. VENKATA RAO,
Presiding Officer,
Cen. Govt. Industrial Tribunal
(No. 2) Dhanbad.

[No. 1/25/63-LRII-(Part.)]

New Delhi, the 12th April 1972

S.O. 980.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Hyderabad, in the industrial dispute between the employer, in relation to the management of Andhra Cement Company Limited, Vijayawada and their workmen, which was received by the Central Government on the 29th March, 1972.

BEFORE THE INDUSTRIAL TRIBUNAL, ANDHRA PRADESH, HYDERABAD

PRESENT:

Sri P. S. Ananth, B.Sc., B.L., Chairman, Industrial Tribunal Andhra Pradesh, Hyderabad.
INDUSTRIAL DISPUTE NO. 51 OF 1971

BETWEEN:

Workmen of Andhra Cement Company Limited,
Vijayawada.

AND

Management of Andhra Cement Company Limited,
Vijayawada.

APPEARANCES:

Sri K. Satyanarayana, Advocate, for workmen.
Sri Srinivasamurthy, Hony. Secretary of the Federation of Chamber of Commerce and Industry, for management.

AWARD

The Government of India Ministry of Labour, Employment and Rehabilitation (Department of Labour

and Employment) by its order No. L-29011/13/71-LR IV date 24-6-1971 referred the following dispute under Section 10(1) (d) of the Industrial Disputes Act, 1947 (hereinafter referred to as the said Act) for adjudication by this Tribunal, namely:

"Whether the action of the management of Messrs. Andhra Cement Company Limited, Vijayawada in paying to the re-employed workers of Jayanthipuram mines wages lower than those they were drawing at the time of their retrenchment in June, 1968, is justified? If not, to what relief are the workmen entitled?"

This reference was taken on file as Industrial Dispute No. 51 of 1971 and notices were issued to the parties. The petitioners are the workmen of Andhra Cement Company Limited, Vijayawada represented by their Trade Union Andhra Cement Company Employees Union, Vijayawada and the respondent is the Andhra Cement Company Limited, Vijayawada. The petitioners filed their claims statement and the respondent filed its counter.

2. The contentions of the petitioners in their claims statement in short are these: The petitioners in all 41 workmen whose names are given in the list appended to the claims statement are the affected workmen whose wages have been fixed lower than the wages drawn by them on the eve of retrenchment. These 41 workmen are among the total of 66 workmen retrenched in June 1968 from the Jayanthipuram mines in which they were working since a long time. All the said workmen were re-employed in the said mine with effect from the dates shown in the statement. The basic wages of 41 out of them have been fixed lower than the basic wages paid to them by the respondent. Out of the said 41 workmen, 40 have been employed in the same category of mazdoors. At the time of retrenchment each of them was drawing Rs. 62.66 ps., per month but on re-employment their basic wages were fixed at Rs. 61.10 ps., thus reducing the basic wage by about Rs. 1.66 ps., per month resulting in consequential variations of Dearness allowance, H.R.A. etc. The remaining 41st workman was working as a tally clerk and he was drawing a basic wage of Rs. 74.00 but on re-employment his basic wages is fixed at Rs. 70.00. The petitioners are entitled to the basic wages paid to them on the eve of the last retrenchment since they have been re-employed under Section 25H of the said Act.

The respondent's contention in short is this: There cannot be any industrial dispute regarding the scales of wages at which an employee is to be recruited and no industrial dispute can arise regarding such scales and wages. It is open to the management to enter into contract of employment with the workers who are to be employed. On this ground alone the reference should be rejected. In the month of June, 1968 owing to adverse trade conditions, one of our Lime-stone Mines at Jayanthipuram was closed on 24-6-1968 after laying off the workmen for a very long period. Consequently the workers as shown in the counter were retrenched. The retrenched employees received all dues and their accounts were fully and finally settled. Full retrenchment compensation was paid as provided for under the said Act. Later in the last week of November 1968 the quarry was temporarily reopened and the retrenched workers were given option for re-employment as fresh temporary hands. 30 retrenched workers and two tally clerks were taken in the first batch in November, 1968. Subsequently as condition improved the mine was expanded and more retrenched workers were re-employed as fresh temporary hands. At the time of retrenchment out of 59 'E' Grade Mazdoors, 40 were drawing Rs. 62.66 ps., as their basic wage and the remaining 19 were getting Rs. 61.10 ps., as their basic wage. While they were re-employed as fresh hands,

the company offered them the minimum of "E" Grade which is Rs. 61.10 ps., as basic wage which is the starting of the "E" grade. Similarly out of two tally clerks, one tally clerk was drawing Rs. 74.00 at the time of retrenchment and when he was re-employed he was offered a fresh temporary hand for which Rs. 70.00 is the starting point of the tally clerk grade. The right of the management to recruit labour is unlimited and there cannot be any industrial dispute regarding the choice of the personnel at all. Section 25-H of the said Act provides an exception that in case the management were to recruit labour in the posts for which the retrenchment has taken place, the retrenched worker should be given preference. It is under these circumstances the retrenched workers had been chosen. The retrenched workers cannot claim any new rights than a new employee can have. The preference is only for the purpose of appointment and has no relation to the salary which he drew at the time of retrenchment. The retrenched worker got the entire benefit and it is because of the retrenchment the payment of compensation is provided for under Chapter V-A of the said Act and Section 25-H only provides an additional benefit in the choice of personnel. He has no right whatsoever for the payment of salary which he was getting at the time of retrenchment.

4. No oral documentary and evidence was adduced. Only arguments were addressed. The dispute that is referred to is whether the action of the management of M/s. Andhra Cement Limited, Vilayawada in paying to the re-employed workers of Jayanthipuram mine the wages lower than those they were drawing at the time of retrenchment in June, 1968 is justified and if not to what relief are the workmen entitled?

5. It is common ground that the petitioners were working in Jayanthipuram mine and that they were among 66 workmen who were retrenched in June, 1968 due to adverse trade conditions and that subsequently they were also re-employed along with the remaining workmen who were retrenched. It is also common ground that out of the petitioners who were 41 in number, 40 are mazdoors who have been drawing wages of Rs. 62.66 ps., each and that the 41st petitioner was working as a tally clerk drawing Rs. 74.00 at the time of retrenchment and that when they were re-employed they were treated as freshers and the wages were fixed for the mazdoors at Rs. 61.10 ps., and that for the tally clerk the pay was fixed at Rs. 70.00 per month. Now the contention of the petitioners is that since they were re-employed as per the provisions of Section 25-H of the said Act wages ought to have been fixed at the same rate that they were paid at the time of retrenchment but that respondent is not entitled to treat them as freshers and fix the wages of a fresher. The contention of the respondent is that the petitioners were given full retrenchment compensation and that they were re-employed only as fresh temporary hands and that the re-employment does not mean that they should be given wages which they were receiving at the time of retrenchment and that Section 25-H of the said Act only provides an additional benefit in the choice of personnel. Now it has to be seen whether the action of the management can be justified.

6. Though in the counter one of the contentions was that the reference itself should be rejected since there cannot be any industrial dispute regarding the scales of wages at which an employee is to be recruited and that no industrial dispute can arise regarding scales and wages, no arguments were addressed by the learned counsel for the respondent as regards this contention and so it has to be taken that this objection is not pressed. So there is no need to consider this contention contained in the counter.

7. As already stated the petitioners were retrenched due to adverse trade conditions and that when the respondent wanted to employ fresh hands, the

petitioners were offered re-employment. Under Section 25-H of the said Act where any workman is retrenched and when the employer proposes to take into his employ any persons, he shall, in such manner as may be prescribed, give an opportunity to the retrenched workmen to offer themselves for re-employment and such retrenched workmen who offer themselves for re-employment shall have preference over other persons. Now it is contended by the learned counsel for the respondent that all that this section provides is that retrenched worker should be offered re-employment but it does not state that when they are re-employed they should be given the wages that they were drawing at the time of retrenchment and so the contention of the petitioners that they should be granted wages which they were receiving at the time of retrenchment cannot be sustained. He relied upon the decision reported in *INDIAN HUME PIPE Co. v. BHIMARAO RAJIRAM GAJBHIYA* (1965 (II) LLJ page 402). In that case their Lordships observed that all that of Section 25-H provides for is preference to retrenched workmen in securing employment, but does not say that the re-employment should be on the former terms and conditions of service and that it had been the intention of the legislature, it would have been made a specific provision to that effect. A perusal of this decision also shows that the decision reported in *INDIAN HUME PIPE Co. v. LABOUR COURT* (1963 (I) LLJ page 770), now relied upon by the learned counsel for the petitioners was referred to and that it was dissented from.

8. The learned counsel for the petitioners relied upon the decision reported in 1963 (I) LLJ, page 770 where in their Lordships considered the question as to whether an employer is bound to re-employ workmen on the same condition as to wages as was prevailing before retrenchment and after considering the contentions put forward before their Lordships by both parties, their Lordships finally held that the retrenched workmen were entitled to claim the same emoluments as at the time of retrenchment and that the employer is not at liberty to change the wage structure at his will. The learned counsel for the petitioners also relied upon the decision reported in *MILLER & PHIPS (INDIA) v. THEIR EMPLOYEES' UNION* (1967 (II) LLJ, page 222). In that case the retrenched workman was not given preference. The Labour Court directed that the retrenched workman be deemed to be re-employed and that he shall also be entitled to the wages he was drawing at the time of retrenchment. His Lordship held that no infirmity was found in the order of Labour Court. So far as this decision is concerned the learned counsel for the respondent contended that nothing has been mentioned specifically in that decision about re-employing the workman on the wages that he was drawing at the time of retrenchment and so this does not help the petitioners but the contention of the learned counsel for the petitioners is that the Labour Court had held that the retrenched employee should be given wages as he was drawing at the time of retrenchment and that this order was upheld. Even if the contention of the learned counsel for the respondent that this decision does not apply to the facts of the present case as accepted still there is the decision reported in 1963 (I) LLJ, page 770. No doubt it is contended by the learned counsel for the respondent that this view of their Lordships was dissented from by the Bombay High Court in the later decision reported in 1965 (II) LLJ, page 402 but so far as this Tribunal is concerned it has to follow only the decision of the Andhra Pradesh High Court in preference to the decisions of other High Courts. So the principle laid down by their Lordships in 1963 (I) LLJ, page 770 applies to the facts of the present case and so the respondent ought to have given them the wages that they were drawing at the time of retrenchment. So the action of the management in equating them with the new comers is not justified.

9. For all the aforesaid reasons, I hold on this reference that the action of the management in paying to the re-employed workers wages lower than those they were drawing at the time of their retrenchment is not justified and that the petitioners are entitled to draw wages that they were drawing at the time of retrenchment. The respondent is directed to pay each of the mazdoors at Rs. 62.66 p.m. per month and the tally clerk at Rs. 74.00 per month from the respective dates of their re-employment and the petitioners would be entitled to recover the difference in the wages upto date as fixed now.

Award is passed accordingly.

Dictated to the stenographer, transcribed by him and corrected by me and given under my hand and the seal of the Tribunal this 23rd day of December, 1971.

(Sd.) P. S. ANANTH,
Industrial Tribunal.

[No. L-29011/13/71-LR-IV.]

S.O. 981.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Calcutta, in the industrial dispute between the employers in relation to the management of Hirakun Colliery, Post Office Neturia, District Purulia and their workmen, which was received by the Central Government on the 10th April, 1972.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT CALCUTTA

REFERENCE No. 85 OF 1971

PARTIES:

Employers in relation to the management of Hirakun Colliery.

AND

Their workmen.

PRESENT:

Sri S. N. Bagchi, Presiding Officer.

APPEARANCES:

On behalf of Employers.—Shri Shyam Sunder Kejriwal, Personnel Officer.

On behalf of Workmen.—Shri Panchanan Banerjee, Concerned workman.

STATE: West Bengal.

INDUSTRY: Coal Mine.

AWARD

The Government of India, in the Ministry of Labour, and Rehabilitation (Department of Labour and Employment), referred the following dispute *vide* Order No. L-1912/67/71-LR.II dated 6th July, 1971, between the employers in relation to the management of Hirakun Colliery and their workmen, to this Tribunal, for adjudication:

"Whether the action of the management of Hirakun Colliery, Post Office Neturia, District Purulia in dismissing Sri Panchanan Banerjee, Lamp Chargeman, with effect from the 6th February, 1971 is justified? If not, to what relief is the workman concerned entitled?"

2. The workman disputant can sign his name in English. I explained to him the contents of the compromise petition which has been filed before this Tribunal today, in Bengali as the workman knows Bengali. He understood the contents of the petition and unequivocally accepts the terms which in my view appear to be fair, just and equitable. The compromise is, therefore, recorded and an award be made accordingly.

Let the petition of compromise form part of this award. This is my award.

(Sd.) S. N. BAGCHI,
Presiding Officer.

Dated 4th April, 1972.

BEFORE THE PRESIDING OFFICER CENTRAL GOVT. INDUSTRIAL TRIBUNAL, CALCUTTA

REFERENCE No. 85 OF 1971

Employers in relation to Hirakun Colliery.

AND

Their Workman.

Shri Panchanan Banerjee.

Petition of Compromise

With prejudice to the respective contention of the parties above named, the parties have amicably settled their dispute on the following terms.

Terms of Settlement

1. That the concerned workman will accept his dismissal from his services with effect from 6th February, 1971 as justified.

2. That the Employers will pay to the concerned workman within 15 days after the publication of the Award an *ex-gratia* payment to be computed on the basis of 15 days wages per year of continuous service.

3. That the concerned workman will have no future claim whatsoever with the Employers and will never ask for re-employment also.

It is humbly prayed that the Honorable Tribunal be graciously pleased to accept the compromise as fair and reasonable and be pleased to pass an Award in terms of the above settlement.

For the Workman.

PANCHANAN BANERJEE,

For the Employer.

(Sd.) Illegible.

Agent.

HIRAKHUN COLLIERY.

Certification.

It is certified that the concerned workman Shri Panchanan Banerjee has signed in my presence after the above settlement was read over and explained to him by me.

(Sd.) B. JOSHI, ADVOCATE,
Dhanbad.

Certification.

It is certified that the Agent of the Colliery has signed in my presence after the above settlement was read over and explained to him by me.

(Sd.) B. C. MUKHERJEE ADVOCATE,
Dhanbad.

[No. L/1912/67/71-LR.II.]

KARNAIL SINGH, Under Secy.

(Department of Labour and Employment)

New Delhi, the 17th April 1972

S.O. 982.—In exercise of the powers conferred by sub-section (3) of section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 23rd day of April, 1972 as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force) and Chapters V and VI (except sub-section (1) of section 76 and sections 77, 78, 79

and 81 which have already been brought into force] of the said Act shall come into force in the following areas in the State of Mysore, namely:—

Sl. District	Taluk	Hobli	Village
1. Raichur	Koppal	Hithanhal Revenue Circle.	Hosahalli Village.
2. Raichur	Koppal	Hithanhal Revenue Circle.	Munirabad falling within T.B. Project area.
3. Raichur	Koppal	Hithanhal Revenue Circle.	Holenahallapur Village.

[No. F. S.38013(8)/71-III.]
DALJIT SINGH, Under Secy.

श्रम और पुनर्वास मंत्रालय
(श्रम और रोजगार विभाग)

नई दिल्ली, 17 अप्रैल, 1972

का० आ० 982.—कर्मचारी राज्य बीमा अधिनियम 1948 (1948 का 34) की धारा (1) की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा 23 अप्रैल, 1972 को उस तारीख के रूप में नियत करती है जिसकी उक्त अधिनियम के अध्याय 4 (धारा 44 और 45 के सिवाय जो पहले ही प्रवृत्त की जा चुकी हैं) और अध्याय 5 और 6 (धारा 76 की उपधारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी हैं) के उपबन्ध मैसूर राज्य के निम्नलिखित भागों में प्रवृत्त होंगे, अर्थात् :—

क्रमांक	जिला	तालुक	होबली	गांव
1. रायचुर	कोप्पल	हिथानहल राजस्व क्षेत्र	होसाहल्ली गांव	
2. रायचुर	कोप्पल	हिथानहल राजस्व क्षेत्र	टी० बी० प्रोजेक्ट क्षेत्र; आनेवाला मुनीराबाद	
3. रायचुर	कोप्पल	हिथानहल राजस्व क्षेत्र	होलेमुदलापुर गांव	

[संख्या फा० एस०-38013(8) 71-एन० आई०]

दलजीत सिंह, अवर सचिव ।

(Department of Labour and Employment)

ORDER

New Delhi, the 6th April 1972

S.O. 983.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Air India and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the

Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Bombay, constituted under section 7A of the said Act.

SCHEDULE

- (i) Having regard to the duties, functions, responsibilities and status of Manager-Flight Engineering, Manager-Technical Training, Chief Flight Engineers, Chief Technical Instructors and Technical Instructors, whether the claim of the Indian Flight Engineers' Association for a common interest seniority list of holders of the above-mentioned posts and the posts of Flight Engineers for purposes of conversion training and matters incidental thereto is justified?
- (ii) Whether the appointments of Sarvashri U. Mehrotra and C. M. Mathews to the posts of Technical Instructor and subsequently to the posts of Chief Technical Instructor are proper and justified under the promotion procedure laid down by the Corporation? If not, to what relief, if any, are the other affected Flight Engineers entitled?

[No. L-11011/7/72-LR.III]

S. S. SAHASRANAMAN, Under Secy.

(श्रम और रोजगार विभाग)

आदेश

नई दिल्ली, 6 अप्रैल, 1972

का० आ० 983 — यतः केन्द्रीय सरकार की राय है कि इसमें उपावद्ध अनुसूची में विनिर्दिष्ट विषयों के बारे में एअर इण्डिया से सम्बद्ध नियोजकों और उनके कर्मचारियों के बीच एक औद्योगिक विवाद विद्यमान है ;

और यतः केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त विवाद को उक्त अधिनियम की धारा 7-क के अधीन गठित औद्योगिक अधिकरण, मुम्बई को न्यायनिर्णयन के लिए निर्देशित करती है ।

अनुसूची

(1) प्रबन्धक—फ्लाइट इंजीनियरी, प्रबन्धक—तकनीकी प्रशिक्षण मूक फ्लाइट इंजीनियरों, मुख्य तकनीकी अनुदेशकों और तकनीकी अनुदेशकों के कर्तव्यों, कृत्यों, उत्तरदायित्वों और प्रास्थिति का विचार करते हुए, क्या इण्डियन फ्लाइट इन्जीनियर्स एसोसिएशन का, उपरोक्त पदों के और संपरिवर्तन प्रशिक्षण और उससे आनुषंगिक विषयों के प्रयोजनों के लिए फ्लाइट इंजीनियरों के पदों के धारकों को सामान्य परस्पर ज्येष्ठता सूची का दावा न्यायोचित है ?

(11) क्या सर्वश्री यू० महरोत्रा और सी० एफ० मैथ्यूज की तकनीकी अनुदेशक और तत्पश्चात् मुख्य तकनीकी अनुदेशक के पदों पर नियुक्ति निगम द्वारा अधिकथित प्रोन्नति प्रक्रिया के

अधीन, समुचित और न्यायोचित है? यदि नहीं, तो अन्य फ्लाइट इंजीनियर जिन पर इसका प्रभाव पड़ा है किस अनुतोष के, यदि कोई हो, हकदार है?

[सं० एल०-11011/7/72-एल० आर० III]

एस० एस० महसनामन, सचिव सचिव ।

MINISTRY OF STEEL AND MINES

(Department of Steel)

New Delhi, the 15th April, 1972.

S. O. 984.—In partial modification of the Notification of the Government of India, in the Ministry of Steel and Mines No. S.O. 2588 dated the 25th June, 1971, the following entries under 'Others' after S. No. 78 may be added in the Schedule to the Notification of the Government of India, in the Ministry of Steel, Mines and Heavy Engineering No. 1525/1SS. COMM/IRON AND STEEL 2(c) dated the 20th April, 1964.

1.	2.	3.
79. Regional Iron and Steel Controllers.	All clause s of the Iron and Steel (Control) Order.	
80. Deputy Regional Iron and Steel Controllers and Assistant Regional Iron and Steel Controller.	10, 11, 12, 22, 23, 24, and 28	

[No. SC(1)-1(7)/71]

A.N. RAJAGOPALAN, Dy. Secy.

इस्पात और खान मंत्रालय

(इस्पात विभाग)

नई दिल्ली, 15 अप्रैल, 1972

एस० आ० 984.— भारत सरकार, इस्पात और खान मंत्रालय की दिनांक 25 जून, 1971 की अधिसूचना का० आ० 2588 को आंशिक आशोधन करते हुए भारत सरकार, इस्पात खान और भारी इंजीनियरी की दिनांक 29 अप्रैल, 1964, की अधिसूचना संख्या 1525/आवश्यक वस्तु/लोहा और इस्पात 2(ग) के परिशिष्ट के क्रम संख्या 78 के पश्चात् 'अन्य' के अन्तर्गत निम्नलिखित प्रविष्टियां जोड़ दी जायें।

1	2	3
79 क्षेत्रीय लोहा और इस्पात नियंत्रक	लोहा और इस्पात (नियंत्रक) आदेश की सभी धाराएं	
80 क्षेत्रीय लोहा और इस्पात उप-नियंत्रक और क्षेत्रीय लोहा और इस्पात सहायक नियंत्रक	10, 11, 12, 22, 23, 24 और 28	

[सं० एम० सी० (1)-1(7)/71]

ए० एन० राजगोपालन, सचिव सचिव ।

MINISTRY OF COMMUNICATIONS

(P. & T. Board)

New Delhi, the 14th April 1972

S.O. 985.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General, Posts and Telegraphs, hereby specifies the 16-5-1972 as the date on which the Measured Rate System will be introduced in DHRANGADHRA Telephone Exchange, Gujarat Circle.

[No. 5-6/72-PHB(12).]

संचार विभाग

(डाक-तार बॉर्ड)

नई दिल्ली, 14 अप्रैल, 1972

आदेश संख्या 985.— स्थायी आदेश संख्या 627, दिनांक 8 मार्च, 1960 द्वारा लागू किए गए भारतीय तार नियम 1951 के नियम 434 के खण्ड III के पैरा (क) के अनुसार डाक-तार महानिदेशक ने ध्रांगधरा टेलीफोन केन्द्र में दिनांक 16-5-72 से प्रमाणित दर प्रणाली लागू करने का निश्चय किया है।

[सं० 5-6/72-पी०एच०बी० (12)]

S.O. 986.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General, Posts and Telegraphs, hereby specifies the 16-5-1972 as the date on which the Measured Rate System will be introduced in BARAMATI Telephone Exchange, Maharashtra Circle.

[No. 5-12/72-PHB(6).]

आदेश संख्या 986.— स्थायी आदेश संख्या 627, दिनांक 8 मार्च, 1960 द्वारा लागू किये गये भारतीय तार नियम 1951 के नियम 434 के खण्ड III के पैरा (क) के अनुसार डाक-तार महानिदेशक ने बरामती टेलीफोन केन्द्र में दिनांक 16-5-72 से प्रमाणित दर प्रणाली लागू करने का निश्चय किया गया है।

[सं० 5-12/72-पी०एच०बी० (6)]

S.O. 987.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General, Posts and Telegraphs, hereby specifies the 16-5-1972 as the date on which the Measured Rate System will be introduced in AMBUR Telephone Exchange, Tamil Nadu, Circle.

[No. 5-30/72-PHB(5)]

आदेश संख्या 987.— स्थायी आदेश संख्या 627, दिनांक 8 मार्च, 1960 द्वारा लागू किये गये भारतीय तार नियम 1951 के नियम 434 के खण्ड III के पैरा (क) के अनुसार डाक-तार महानिदेशक ने अम्बूर टेलीफोन केन्द्र में दिनांक 16-5-72 से प्रमाणित दर प्रणाली लागू करने का निश्चय किया है।

[सं० 5-30/72-पी०एच०बी० (5)]

S.O. 988.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General, Posts and Telegraphs, hereby specifies the 16-5-1972 as the date on which the Measured Rate System will be introduced in

MANNARGUDI Telephone Exchange, Tamil Nadu Circle.

[No. 5-30/72-PHB(6).]

आदेश संख्या 988.—स्थायी आदेश संख्या 627, दिनांक 8 मार्च, 1960 द्वारा लागू किये गये भारतीय तार नियम 1951 के नियम 434 के खण्ड iii के पैरा (क) के अनुसार डाक-तार महानिदेशक ने मनारगुडी टेलीफोन केन्द्र में दिनांक 16-5-72 से प्रमाणित दर प्रणाली लागू करने का निश्चय किया है।

[संख्या 5-30/72-पी०एच वी०(6)]

S.O. 989.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General, Posts and Telegraphs, hereby specifies the 16-5-1972 as the date on which the Measured Rate System will be introduced in BHUVANAGIRI SAX Telephone Exchange, Tamil Nadu Circle connected to Chidambaram Exchange.

[No. 5-30/72-PHB(7).]

H. C. MATHUR,
Director of Phones(E).

एस० आ० स्वयी आदेश संख्या 989.—स्थायी आदेश संख्या 627, दिनांक 8 मार्च, 1960 द्वारा लागू किए गए भारतीय तार नियम 1951 के नियम 434 के खण्ड iii के पैरा (क) के अनुसार डाक-तार महानिदेशक ने चिदम्बरम् एक्सचेंज से सम्बद्ध तमिलनाडु सर्कल के भुवनगिरि लघु स्वचल एक्सचेंज में दिनांक 16-5-72 से प्रमाणित दर प्रणाली लागू करने का निश्चय किया है।

[संख्या 5-30/72/पी० एच० वी०-(7)]

एच० सी० माथुर,
निदेशक फोन (ई)।

CABINET SECRETARIAT

(Department of Personnel)

New Delhi, the 5th April, 1972

S.O. 990.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President thereby makes the following rules further to amend the Central Civil Services (Classification, Control and Appeal) Rules, 1965, namely:—

1 (1) These rules may be called the Central Civil Services (Classification, Control and Appeal) First Amendment Rules, 1972.

(2) They shall come into force on the date of their publication in the Official Gazette and shall remain in force during the period of operation of the Proclamation issued under clause (1) of article 352 of the Constitution on the 3rd day of December, 1971.

2. In the Central Civil Services (Classification, Control and Appeal) Rules, 1965, after sub-rule (3) of rule 3, the following sub-rule shall be inserted, namely:—

“(3A) Notwithstanding anything contained in these rules, where any civil Government servant in the Defence Services is temporarily made subject to the Army Act, 1950 (46 of 1950), or the Navy Act, 1957 (82 of 1957), or the Air Force Act, 1960 (45 of 1960), these

rules shall continue to apply to such civilian Government servant in the Defence Services and, for the purpose of discipline, he shall be dealt with under these rules unless the appropriate authority, for reasons to be recorded in writing, is of the opinion that sterner action is called for and directs that he be dealt with under the Act he is subject to.”.

[No. F. 7/6/72-Ests(A).]

S. KRISHNAN, Dy. Secy.

मंत्रिमंडल सचिवालय

(कार्मिक विभाग)

नई दिल्ली, 5 अप्रैल, 1972

का० आ० 990—राष्ट्रपति, संविधान के अनुच्छेद 309 के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सिविल सेवा (वर्गीकरण, नियंत्रण और अपील) नियम, 1965 में और आगे संशोधन करने के लिए निम्नलिखित नियम एतद्वारा बनाते हैं, अर्थात् :—

1. (1) इन नियमों का नाम केन्द्रीय सिविल सेवा (वर्गीकरण, नियंत्रण और अपील) प्रथम संशोधन नियम, 1972 होगा।

(2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे और 3 दिसम्बर, 1971 को संविधान के अनुच्छेद 352 के खंड (1) के अधीन जारी की गई उद्घोषणा के प्रवर्तन की अवधि के दौरान प्रवृत्त रहेंगे।

2. केन्द्रीय सिविल सेवा (वर्गीकरण, नियंत्रण और अपील) नियम, 1965 में, नियम 3 के उप-नियम (3) के पश्चात् निम्नलिखित उप-नियम अंतःस्थापित किया जाएगा, अर्थात् :—

“(3क) इन नियमों में अन्तर्विष्ट किसी बात के होते हुए, भी जहाँ रक्षा सेवाओं के किसी सिविलियन सरकारी सेवक को सेना अधिनियम, 1950 (1950 का 46), या नौसेना अधिनियम, 1957 (1957 का 62), या वायुसेना अधिनियम 1950 (1950 का 45) के अधीन अस्थायी रूप से किया गया है, वहाँ ये नियम रक्षा सेवाओं के ऐसे सिविलियन सरकारी सेवक को लागू रहेंगे और अनुशासन के प्रयोजन के लिए जब तक लेखबद्ध कारणों के लिए समुचित प्राधिकारों की यह राय न हो कि कठोरतर कार्रवाई आवश्यक है और यह निदेश नहीं देता कि जिस अधिनियम के अधीन वह है उसके अधीन उससे बरता जाए, इन नियमों के अधीन सब तक उससे बरता जाएगा।”

[सं०-7/6/72/स्थापना (क)]

एस० कृष्णन, उप सचिव।

MINISTRY OF WORKS AND HOUSING

(Directorate of Estates)

New Delhi, the 22nd March 1972

S.O. 991.—In pursuance of the provisions of rule 45 of the Fundamental Rules, the President hereby makes the following rules further to amend the Allotment of Government Residences (General Pool in Delhi) Rules, 1963, contained in Part VIII, Division XXVI-B of the Supplementary Rules issued with the Government of India, Finance Department letter No. 104-CSR dated the 4th February, 1972, namely:—

1. (1) These rules may be called the Allotment of Government Residences (General Pool in Delhi) Third Amendment Rules, 1972.

(2) They shall come into force at once.

2. In the Allotment of Government Residences (General Pool in Delhi) Rules, 1963, in rule 317-B-6, in sub-rule (1) the word "annual" shall be omitted.

[No. F. 12033(2)/72-Pol(II).]

R. B. SAXENA,

Dy. Director of Estates (Policy).

निर्माण और आवास मंत्रालय

सम्पदा निदेशालय

नई दिल्ली, 22 मार्च, 1972

क्रा.सं. 991—राष्ट्रपति, मूल नियमों के नियम 45 के उपबन्धों के अनुसरण में भारत सरकार के वित्त विभाग के पत्र सं. 104 सि. से. नि. तारीख 4 फरवरी, 1972 के साथ जारी किए गए अनुपूर्वक नियमों के भाग 8-प्रभाग 26-ख में अन्तर्विष्ट, सरकारी निवास स्थान आवंटन (दिल्ली में साधारण पूल) नियम, 1963 में और संशोधन करने के लिए निम्नलिखित नियम बनाते हैं, अर्थात्:—

1. (1) ये नियम सरकारी निवास स्थान आवंटन (दिल्ली में साधारण पूल) तृतीय संशोधन नियम, 1972 कहे जा सकेंगे।

(2) ये तुरन्त प्रवृत्त होंगे।

2. सरकारी निवास स्थान आवंटन (दिल्ली में साधारण पूल) नियम, 1963 में, नियम 317-ख-6 में, उप नियम (1) में, "वार्षिक" शब्द लुप्त हो जाएगा।

[सं. फा. 12033 (2)/72-नीति-2]

राम बहादुर सक्सेना,

सम्पदा उप निदेशक (नीति)।

(Directorate of Estates)

New Delhi, the 15th April 1972

S.O. 992.—In exercise of the powers conferred by section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971), the Central Government hereby appoints the officers mentioned in column (1) of the Table below, being the officers equivalent to the rank of gazetted officers of Government, to be estate officers for the purposes of the said Act, who shall exercise the powers conferred, and perform the duties imposed, on estate officers by or under the said Act within the local limits of their

respective jurisdiction in respect of the public premises specified in column (2) of the said Table.

THE TABLE

(1)	(2)
Designation of the Officer	Categories of Public premises and local limits of jurisdiction.
1. Assistant Registrar Indian Institute of Technology, Kanpur.	Premises belonging to or taken on lease or requisitioned by, or on behalf of the Indian Institute of Technology, Kanpur, which are under its administrative control in Kanpur District.
2. Executive Engineer, Indian Institute of Technology, Madras.	Premises belonging to or taken on lease or requisitioned by, or on behalf of the Indian Institute of Technology, Madras, which are under its administrative control in Madras District.
3. Institute Engineer, Indian Institute of Technology, Bombay.	Premises belonging to or taken on lease or requisitioned by, or on behalf of the Indian Institute of Technology, Bombay, which are under its administrative control in Bombay District.
4. Executive Engineer, Indian Institute of Technology, Kharag- pur.	Premises belonging to or taken on lease or requisitioned by, or on behalf of the Indian Institute of Technology, Kharagpur, which are under its administrative control in Midnapore District.
5. Town Administrator/ Manager Sub-contracts/ Estate Officer, Hin- dustan Machine Tools Limited, I II Machine Tool Fac- tories Estate, Banga- lore-31.	Public Premises owned or acquired or hired by the Hindustan Machine Tools Limited which are under their respective administrative control.
6. Superintendent Plant/ Estate Officer, Hin- dustan Machine Tools Limited, III Machine Tool Factory Estate, Pinjore, District Am- bala, (Haryana State).	
7. Estate Officer, Hin- dustan Machine Tools Limited, IV Machine Tool Factory Estate, Kalamassery, (Kerala State).	
8. Town Administrator/ Estate Officer, Hindus- tan Machine Tools Limited, V. Machine Tool Factory Estate, Balanagar Township, Hyderabad-37.	
9. Personnel Manager/ Personnel Officer, Hin- dustan Machine Tools Limited, I&II Watch Factories Estate, Bangalore-31.	
10. Personnel Manager/ Personnel Officer, Hin- dustan Machine Tools Limited, III Watch Factory Estate, Zaina- kote (Srinagar-Baramulla Highway), Srinagar (J&K).	

(1)	(2)	सारणी
11. Finance and Development Officer, Punjab University, Chandigarh.	Premises belonging to or taken on lease by and under the administrative control of the Punjab University, Chandigarh, situated within the revenue limits of Chandigarh district.	अधिकारी का पदावधान लोक परिसरों के प्रवर्ग और अधिकारिता की स्थानीय सीमाएं
12. Regional Director, Employees' State Insurance Corporation, West Bengal Region, Calcutta.	Public premises owned or acquired or hired by the Employees' State Insurance Corporation and which are the limits of the State of West Bengal.	(1) (2)
13. Regional Director, Employees' State Insurance Corporation, Uttar Pradesh Region, Kanpur.	Public premises owned or acquired or hired by the Employees' State Insurance Corporation and which are under his administrative control within the limits of the State of Uttar Pradesh.	1. सहायक रजिस्ट्रार, भारतीय प्रौद्योगिकी संस्थान, कानपुर। भारतीय प्रौद्योगिकी संस्थान, कानपुर के या उसके द्वारा, या उसकी ओर से पट्टे पर लिए गए या अधिगृहीत परिसर जो कानपुर जिले में उसके प्रशासनिक नियंत्रण में हैं।
14. Medical Superintendent, Employees' State Insurance Hospital & Director (Medical) Employees' State Insurance Scheme, Delhi.	Public premises owned or acquired or hired by the Employees' State Insurance Corporation and which are under his administrative control within the limits of the Union Territory of Delhi (for the quarters allotted by the Medical Superintendent, Employees' State Insurance Hospital and Director (Medical) Employees' State Insurance Scheme, Delhi).	2. कार्यपालक इंजीनियर, भारतीय प्रौद्योगिकी संस्थान, मद्रास। भारतीय प्रौद्योगिकी संस्थान, मद्रास के या उसके द्वारा, या उसकी ओर से पट्टे पर लिए गए या अधिगृहीत परिसर जो मद्रास जिले में उसके प्रशासनिक नियंत्रण में हैं।
15. Administrative Officer Employees' State Insurance Corporation Delhi.	Public premises owned or acquired or hired by the Employees' State Insurance Corporation and which are under his administrative control within the limit of Union Territory of Delhi (for quarters allotted by the Administrative officer).	3. संस्थान, इंजीनियर, भारतीय प्रौद्योगिकी संस्थान, बम्बई। भारतीय प्रौद्योगिकी संस्थान, बम्बई के या उसके द्वारा, या उसकी ओर से पट्टे पर लिए गए या अधिगृहीत परिसर जो बम्बई जिले में उसके प्रशासनिक नियंत्रण में हैं।
[No. F. 21012(5)/67-Pol. IV.]		4. कार्यपालक इंजीनियर, भारतीय प्रौद्योगिकी संस्थान, खड़गपुर। भारतीय प्रौद्योगिकी संस्थान, खड़गपुर के या उसके द्वारा, या उसकी ओर से पट्टे पर लिए गए या अधिगृहीत परिसर जो बिदनापुर जिले में उसके प्रशासनिक नियंत्रण में हैं।

(सम्पदा निदेशालय)

नई दिल्ली, 15 अप्रैल, 1972

का० आ० 992.—लोक परिसर (अप्राधिकृत अधिभोगियों की बेदखली) अधिनियम, 1971 (1971 का 40) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, नीचे की सारणी के स्तम्भ (1) में वर्णित अधिकारियों को, जो सरकार के राजपत्रित अधिकारियों की रैंक के समतुल्य अधिकारी हैं, उक्त अधिनियम के प्रयोजनों के लिए सम्पदा अधिकारियों के रूप में एतद्वारा नियुक्त करती है, जो उक्त सारणी के स्तम्भ (2) में विनिर्दिष्ट लोक परिसरों के बारे में, अपनी अपनी अधिकारिता की स्थानीय सीमाओं के भीतर उक्त अधिनियम द्वारा या उसके अधीन सम्पदा अधिकारियों को, प्रदत्त शक्तियों का प्रयोग करेंगे और उन पर अधिरोपित कर्तव्यों का पालन करेंगे।

5. नगर प्रशासक/उपसंविदा) प्रबन्धक/सम्पदा अधि-)
कारी, हिन्दुस्तान मशीन)
टूल्स लिमिटेड, 1 और 2)
मशीन टूल फैक्ट्रीज ऐस्टेट,)
बंगलोर-31।)
6. संयंत्र अधीक्षक/सम्पदा)
अधिकारी, हिन्दुस्तान)
मशीन टूल्स लिमिटेड,)
मशीन टूल फैक्ट्री ऐस्टेट,)
पिजौर, जिला अम्बाला,)
(हरयाणा राज्य)।)

(1)

(2)

(1)

(2)

7. सम्पदा अधिकारी, हिन्दुस्तान मशीन टूल्स लिमिटेड, 4 मशीन टूल फैक्ट्री एस्टेट काला-मसेरी (केरल राज्य)

8. नगर प्रशासक सम्पदा अधिकारी, हिन्दुस्तान मशीन टूल्स लिमिटेड, 5 मशीन टूल फैक्ट्री एस्टेट, बालानगर कस्बा, हैदराबाद-37.

9. कार्मिक प्रबन्धक/कार्मिक अधिकारी, हिन्दुस्तान मशीन टूल्स लिमिटेड, 1 और 2 वाच फैक्ट्रीज एस्टेट, बंगलौर-31.

10. कार्मिक प्रबन्धक/कार्मिक अधिकारी, हिन्दुस्तान मशीन टूल्स लिमिटेड, 3 वाच फैक्ट्री एस्टेट, जैनकोटे (श्रीनगर-बारामुल्ला राजमार्ग), श्रीनगर (जम्मू और कश्मीर)।

11. वित्त और विकास अधि-कारी, पंजाब विश्व-विद्यालय, चंडीगढ़

12. क्षेत्रीय निदेशक, कर्म-चारी राज्य बीमा निगम, पश्चिमी बंगाल क्षेत्र, कलकत्ता

13. क्षेत्रीय निदेशक, कर्म-चारी राज्य बीमा निगम, उत्तर प्रदेश क्षेत्र, कानपुर।

ऐसे लोक परिसर जिन पर हिन्दुस्तान मशीन टूल्स लिमिटेड का स्वामित्व है या उसके द्वारा जिन्हें अर्जित किया गया है या किराये पर लिया गया है, और जो उनके अपने अपने प्रशासनिक नियंत्रण में हैं।

पंजाब विश्वविद्यालय, चंडीगढ़ के या उसके द्वारा पट्टे पर लिए गए और उसके प्रशासनिक नियंत्रणाधीन परिसर और जो चंडीगढ़ जिले की राजस्व सीमाओं के भीतर स्थित हैं।

ऐसे लोक परिसर जिन पर कर्म-चारी राज्य बीमा निगम का स्वामित्व है या जिन्हें उसके द्वारा अर्जित किया गया है या किराये पर लिया गया है और जो पश्चिमी बंगाल राज्य की सीमाओं के भीतर हैं।

ऐसे लोक परिसर जिन पर कर्म-चारी राज्य बीमा निगम का स्वामित्व है या जिन्हें उसके द्वारा अर्जित किया गया है या किराए पर लिया गया है और जो उत्तर प्रदेश राज्य की सीमाओं के भीतर उसके प्रशासनिक नियंत्रण में हैं।

14. चिकित्सक अधीक्षक, कर्मचारी राज्य बीमा अस्पताल और निदेशक (चिकित्सक), कर्मचारी राज्य बीमा स्कीम, दिल्ली।

15. प्रशासन अधिकारी, कर्मचारी राज्य बीमा निगम, दिल्ली।

ऐसे लोक परिसर जिन पर कर्म-चारी राज्य बीमा निगम का स्वामित्व है या जिन्हें उसके द्वारा अर्जित किया गया है या किराए पर लिया गया है और जो दिल्ली संघ राज्यक्षेत्र की सीमाओं के भीतर उसके प्रशासनिक नियंत्रण में हैं (उन तिमाहियों के लिए जो चिकित्सक अधीक्षक, कर्मचारी राज्य बीमा अस्पताल और निदेशक (चिकित्सक) कर्मचारी राज्य बीमा स्कीम, दिल्ली द्वारा आबंटित की गई हों)।

ऐसे लोक परिसर जिन पर कर्मचारी राज्य बीमा निगम का स्वामित्व है या जिन्हें उसने द्वारा अर्जित किया गया है या किराए पर लिया गया है और जो दिल्ली संघ राज्यक्षेत्र की सीमाओं के भीतर उसके प्रशासनिक नियंत्रण में हैं (उन तिमाहियों के लिए जो प्रशासनिक अधिकारी द्वारा आबंटित की गई हों)।

[नं० फा० 21012(5)/67-नीति-4]

S.O. 993.—In exercise of the powers conferred by section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971), the Central Government hereby appoints the officer mentioned in column (1) of the table below, being gazetted officer of Government, to be estate officer for the purposes of the said Act, and the said officer shall exercise the powers conferred and perform the duties imposed on estate officer by or under the said Act, within the local limits of his jurisdiction in respect of the public premises specified in the corresponding entry in column (2) of the said Table.

THE TABLE

(1)	(2)
Special Director of Inspection, Directorate of Supplies and Disposals, CALCUTTA.	Premises belonging to or taken on lease or requisitioned by or on behalf of, the Central Government falling within the territorial jurisdiction of Kulti P.S. Sub-Registry Asansol and Court District Burdwan and which are under his administrative control.

[No. F. 21012(4)/66-Pol.II.]

P. N. KHANNAH,

Deputy Director of Estates and Ex-Officio Under Secy.

फा० आ० 993.—लोकपरिसर (अप्राधिकृत अधिभोगियों की बेदखली) अधिनियम, 1971 (1971 का 40) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, नीचे की सारणी के स्तम्भ (1) में वर्णित अधिकारी को, जो सरकार का राजपत्रित अधिकारी है, उक्त अधिनियम के प्रयोजनों के लिए सम्पदा अधिकारी के रूप में एतद्वारा नियुक्त करती है, और उक्त अधिकारी उक्त सारणी के स्तम्भ (2) में की तत्स्थानी प्रविष्टि में विनिर्दिष्ट लोकपरिसरों के बारे में, अपनी अधिकारिता की स्थानीय सीमाओं के भीतर, उक्त अधिनियम द्वारा या उसके अधीन सम्पदा अधिकारी को प्रदत्त शक्तियों का प्रयोग करेगा और उस पर अधिरोपित कर्तव्यों का पालन करेगा।

सारणी

1	2
विशेष निरीक्षण-निदेशक, पूर्ति और निपटान निदेशालय, कलकत्ता।	केन्द्रीय सरकार के या उसके द्वारा, या उसकी ओर से पट्टे पर लिए गए या अधिगृहीत परिसर जो कुल्दी पी० एस० सब-रजिस्ट्री, आसनसोल और जिला न्यायालय बर्दवान की प्रादेशिक अधिकारिता के अन्तर्गत आते हैं और जो उसके प्रशासनिक नियंत्रण में हैं।

[सं० फा० 21011(47)-66-गोल० II]

पी० एन० खन्ना,

उप सम्पदा-निदेशक और पदेन अवसर सचिव।

DEPARTMENT OF SUPPLY

New Delhi, the 24th February 1972

S.O. 994.—In pursuance of rule 45 of the Fundamental Rules, the President hereby makes the following rules further to amend the Directorate General of Supplies and Disposals (Allotment of Government residences for employees of Inspection Offices at Tata-nagar, Jamshedpur, Burnpur and Kulti) Rules, 1966, namely:—

1. (1) These rules may be called the Directorate General of Supplies and Disposals (Allotment of Government residences for employees of Inspection Offices at Tata-nagar, Jamshedpur, Burnpur and Kulti) Amendment Rules, 1972.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In S.R. 317-R-17 of the Directorate General of Supplies and Disposals (Allotment of Government residences for employees of Inspection Offices at Tata-nagar, Jamshedpur, Burnpur and Kulti) Rules, 1966, for sub-rule (1), the following sub-rule shall be substituted, namely:—

“(1) If the officer to whom a residence is allotted is removed, or dismissed, or retires, or resigns, or absents himself without permission, from service, the allotment to him of the

residence shall stand cancelled with effect from—

- (i) one month after the date of his removal or dismissal or retirement or resignation, as the case may be; or
 - (ii) with effect from two months from the date of his absence from duty; or
 - (iii) with effect from the date on which the residence is vacated,
- whichever is earlier.”

[No. 54/3/69-ESII.]

S. S. KSHETRY, Under Secy.

पूर्ति विभाग

नई दिल्ली, 24 फरवरी, 1972

एस० आ० 994.—राष्ट्रपति, मूलभूत नियमों के नियम 45 के अनुसरण में, एतद्वारा पूर्ति और निपटान महानिदेशालय (टाटानगर, जमशेदपुर, बर्नपुर तथा कुल्दी के निरीक्षण कार्यालयों के कर्मचारियों के लिए सरकारी आवासों का आवंटन) नियम, 1966 में, और आगे संशोधन करने के लिए, निम्नलिखित नियम बनाते हैं, अर्थात्:—

1. (1) ये नियम पूर्ति और निपटान महानिदेशालय (टाटानगर, जमशेदपुर, बर्नपुर तथा कुल्दी के निरीक्षण कार्यालयों के कर्मचारियों के लिए सरकारी आवासों का आवंटन) संशोधन नियम, 1972 कहें जा सकेंगे।

(2) ये शासकीय राजपत्र में अपने प्रकाशन की तारीख से प्रवृत्त हो जाएंगे।

2. पूर्ति और निपटान महानिदेशालय (टाटानगर, जमशेदपुर, बर्नपुर तथा कुल्दी के निरीक्षण कार्यालयों के कर्मचारियों के लिए सरकारी आवासों का आवंटन) नियम, 1966 के एस० आर० 317-आर-17 में, उप नियम (1) के लिए, निम्नलिखित उप नियम प्रतिस्थापित किया जाएगा, अर्थात्:—

“(1) यदि कोई अधिकारी जिसे आवास का आवंटन किया जाता है, सेवा से हटा दिया जाता है अथवा पदच्युत हो जाता है अथवा सेवा निवृत्त हो जाता है अथवा त्यागपत्र दे देता है अथवा बिना अनुमति के गैरहाजिर होता है तो उसे किया गया आवास का आवंटन निम्नानुसार रद्द समझा जायेगा:—

(i) सेवा से हटाये जाने अथवा पदच्युत हो जाने अथवा सेवा निवृत्त हो जाने अथवा त्यागपत्र देने, जैसी भी स्थिति हो, की तारीख से एक महीने पश्चात्; अथवा

(ii) अपनी ड्यूटी से गैरहाजिर होने की तारीख से दो महीने बाद; अथवा

(iii) उस तारीख से जिस तारीख को आवास खाली किया जाता है

जो भी पहले हो।”

[संख्या 54/3/69-स्थापना-2]

शिव शंकर खत्री, अवसर सचिव।

MINISTRY OF EXTERNAL AFFAIRS

New Delhi, the 23rd February 1972

S.O. 995.—In pursuance of clause (a) of section 2 of the Diplomatic and Consular Officers (Oaths and Fees) Act, 1948, the Central Government hereby authorises Shri K. R. Kukreja, Assistant in the Embassy of India, Bahrain, to perform duties of a Consular Agent with effect from the 3rd February, 1972 until the date of return of Shri S. N. Sharma, Charge d'Affairs to Bahrain from home leave.

[No. T 4330/3/72.]

PRAMOD KUMAR, Under Secy. (Consular).

विदेश मंत्रालय

नई दिल्ली, 23 फरवरी, 1972

एस० नं० 995.—राजनयिक एवं कौंसली अधिकारी (शपथ एवं शुल्क) अधिनियम, 1948 के खण्ड-2 की धारा (क) के अनुसरण में, केन्द्रीय सरकार, भारत के राजदूतावास, बहरीन में सहायक श्री के० आर० कुकरेजा को 3 फरवरी, 1972 से, बहरीन में कार्यदूत श्री एस० एन० शर्मा के गृह अवकाश से लौटने की तारीख तक, कौंसली एजेंट का कार्य करने के लिये प्राधिकृत करती है।

[संख्या टी० 4330/3/72]

प्रमोद कुमार, अवसर सचिव (कौंसली)।

MINISTRY OF STEEL AND MINES (ISPAT AUR KHAN MANTRALAYA)

Department of Mines (Khan Vibhag)

New Delhi, the 25th March 1972

S.O. 996.—Whereas by the notification of the Government of India in the Ispat Aur Khan Mantralaaya (Khan Vibhag) No. S.O. 2310 dated the 17th June, 1971, issued under sub-section (i) of Section 7 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government gave notice of its intention to acquire lands in the locality specified in the schedule appended to that notification;

And whereas the competent authority in pursuance of section 8 of the said Act has made his report to the Central Government;

And whereas the Central Government after considering the report aforesaid and after consulting the Government of Madhya Pradesh is satisfied that the lands measuring 106.12 acres (approximately) or 42.94 hectares (approximately), described in the schedule appended hereto should be acquired.

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) of section 9 of the said Act, the Central Government hereby declares that the lands measuring 106.12 acres (approximately) or 42.94 hectares (approximately) described in the said schedule should not be acquired.

2. The plans of the area covered by this notification may be inspected in the Office of the Collector, Sidhi, (Madhya Pradesh), or in the Office of the Coal Controller, 1, Council House Street, Calcutta or in the Office of the National Coal Development Corporation Limited (Revenue Section), Darbhanga House, Ranchi (Bihar).

SCHEDULE

GORBI BLOCK EXTENSION

(Singrauli Coalfield)

(Madhya Pradesh)

Drawing No. Rev./45/71
Dated 13-9-1971.

(Showing lands acquired)

SUB BLOCK-I

ALL RIGHTS

S. No.	Village	Tahsil	Tahsil number	District	Area	Remarks
1.	Gorbi	Deosar		Sidhi		Part
Total Area : 17.50 acres (Approximately) or: 7.08 hectares (Approximately)						

Plot numbers acquired in village Gorbi:

87(P), 94(P), 95(P), 96(P), 97(P), 99(P), 102(P), 131(P), 140(P), 141(P), 142(P), 153(P), 154(P), 155(P), 157(P), 158(P), 159(P), 161(P), 162(P), 168(P), 169(P), 170(P), 171(P), 172(P), 173(P), 174(P), 175(P), 176(P), 177(P), 178(P), 182(P), 183(P), 367(P), 406(P), 407(P), 408(P), and 409(P).

BOUNDARY DESCRIPTION.

7-8. Line passes through plot numbers 87, 94, 96, 97, 96, 102, 95, 153, 154, 183, 182, 178, 177, 176, 175, 174, 173, 171, 170, 168, 140, 408, 141, 407, 131, 409, 131 & 367 in village Gorbi and meets at point '8'.

8-9-10. Lines pass through plot numbers 367, 131, 409, 141, 142, 406, 140, 168, 170, 169, 172, 173, 174, 162, 161, 159, 158, 1573, 155, 153, 95, 102, 96, 99, 96, 97, 94 and 87 in village Gorbi and meets at point 10.

10-7. Line passes along the common boundary of Gorbi Block acquired under section 9(1) of Coal Bearing Areas (Acquisition and Development) Act, 1957 and meets at point '7'.

SUB-BLOCK II**ALL RIGHTS**

S.No.	Village	Tahsil	Tahsil number	District	Area	Remarks
1.	Naurhia	Deosar	Sidhi		Part
Total Area : 88.50 acres (approximately) or: 35.81 hectares (approximately)						

Plot numbers acquired in village Naurhia:

106(P), 107(P), 108(P), 109(P), 110(P), 111(P), 112(P), 113, 114, 115, 116, 117(P), 118(P), 119, 120, 121(P) & 124(P).

BOUNDARY DESCRIPTION:

1-2. Line passes through plot numbers 107 & 106 in village Naurhia (i.e. along the part southern boundary of Railway acquired land).

2-3-4-5. Lines pass through plot numbers 106, 121 & 124 in village Naurhia and meet at point '5'.

5-6. Line passes through plot numbers 124, 117, 118, 117 & 110 in village Naurhia and meets at point '6'.

6-1. Line passes through plot numbers 110, 111, 110, 112, 109, 108 and 107 in village Naurhia and meets at point '1'.

SUB-BLOCK-III**ALL RIGHTS**

Sl.No.	Village	Tahsil	Tahsil number	District	Area	Remarks
1.	Gorbi	Deosar	Sidhi		Part.
Total Area : 0.12 acres (approximately) or : 0.05 hectares (approximately)						

Plot Numbers acquired in village Gorbi:

367(P) and 366(P).

BOUNDARY DESCRIPTION:

11-12-13. Lines pass through plot numbers 367 & 366 in village Gorbi and meet at point '13'.

13-11. Line passes through plot numbers 366 & 367 in village Gorbi and meets at point '11'.

[No. F. 1(17)/71-C 3]

K. SUBRAHMANYAN, Under Secy.

इस्पात और खान मंत्रालय

(खान विभाग)

नई दिल्ली, 25 मार्च, 1972

क्रा० आ० 996.—यतः कोयला वाले क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 7 की उपधारा (1) के अधीन भारत सरकार के इस्पात और खान मंत्रालय (खान विभाग) की अधिसूचना संख्या क्रा० आ० 2310 तारीख 17 जून, 1971 द्वारा, केन्द्रीय सरकार ने उस अधिसूचना से उपाबद्ध अनुसूची में विनिर्दिष्ट परिक्षेत्र में भूमि को अर्जित करने के अपने आशय की सूचना दी थी ;

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 1 के अनुसरण में अपनी रिपोर्ट केन्द्रीय सरकार को दे दी है।

और यतः रिपोर्ट पर विचार करने और मध्य प्रदेश सरकार से परामर्श करने के पश्चात् केन्द्रीय सरकार का समाधान हो गया है कि इससे उपाबद्ध अनुसूची में वर्णित 106.12 एकड़ (लगभग) या 42.94 हेक्टेयर (लगभग) परिमाण की भूमि को अर्जित किया जाना चाहिए;

अतः अब, उक्त अधिनियम की धारा 9 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा यह घोषणा करती है कि उक्त अनुसूची में वर्णित 106.12 एकड़ (लगभग) 42.94 हेक्टेयर (लगभग) परिमाण की भूमि को एतद्वारा अर्जित किया जाता है।

इस अधिसूचना के अन्तर्गत आने वाले क्षेत्र के रेखांक का निरीक्षण कलक्टर सिंधि (म० प्र०) के कार्यालय में, अथवा कोयला नियंत्रक, 1, काउंसिल हाउस स्ट्रीट, कलकत्ता के कार्यालय में अथवा राष्ट्रीय कोयला विकास निगम लिमिटेड (राजस्व अनुभाग), दरभंगा हाउस, रांची (बिहार) के कार्यालय में किया जाता सकता है।

अनुसूची

गोर्बी खंड विस्तारण

(सिंगरोली कोयला क्षेत्र)

(मध्य प्रदेश)

ड्राईंग संख्या राजस्व/45/71

तारीख 13-9-1971

(अर्जित की गई भूमि को दर्शित करते हुए)

उपखंड-I

सभी अधिकार

क्रम संख्या	ग्राम	तहसील	तहसील संख्या	जिला	क्षेत्र	टिप्पणियाँ
1	गोर्बी	दिग्गोसर	—	सिंधि		भाग
कुल क्षेत्र :—17.50 एकड़ (लगभग) या 7.08 हेक्टेयर (लगभग)						

ग्राम गोर्बी में अर्जित किए गए प्लॉटों की संख्या—

87(पी), 94(पी), 95(पी), 96(पी), 97(पी), 99(पी), 102(पी), 131(पी), 140(पी), 141(पी), 142(पी), 153(पी), 154(पी), 155(पी), 157(पी), 158(पी), 159(पी), 161(पी), 162(पी), 168(पी), 169(पी), 170(पी), 171(पी), 172(पी), 173(पी), 174(पी), 175(पी), 176(पी), 177(पी), 178(पी), 182(पी), 183(पी), 367(पी), 406(पी), 407(पी), 408(पी) और 409(पी)।

सीमा वर्णन

7-8 लाइन ग्राम गोर्बी में प्लॉट संख्या 87, 94, 96, 97, 96, 102, 95, 153, 154, 183, 182, 178, 167, 176, 175, 174, 173, 171, 170, 168, 140, 408, 141, 407, 131, 409, 131 और 367 से होकर गुजरती है और बिन्दु '8' पर मिलती है।

8-9-10 लाइनें ग्राम गोर्बी में प्लॉट संख्या 367, 131, 409, 141, 142, 406, 140, 168, 170, 169, 172, 173, 174, 162, 161, 159, 158, 157, 155, 153, 95, 102, 96, 99, 97, 96, 94 और 87 से होकर गुजरती है और बिन्दु '10' पर मिलती है।

10-7 लाइन कोयला वाले क्षेत्र (अर्जन और विकास) अधिनियम, 1957 की धारा 9(1) के अधीन अर्जित गोर्बी खंड की समान्य सीमा से होकर गुजरती है और बिन्दु '7' पर मिलती है।

उपखंड—ii

सभी अधिकार

क्रम संख्या	ग्राम	तहसील	तहसील संख्या	जिला	क्षेत्र	टिप्पणियां
1	नौरहिया	दिम्रोसर		सिध्द	—	भाग
कुल क्षेत्र :—88.50 एकड़ (लगभग) या :—35.81 हेक्टेयर (लगभग)]						

ग्राम नौरहिया में अर्जित प्लॉटों की संख्या :—

106(पी), 107(पी), 108(पी), 109(पी), 110(पी), 111(पी), 112(पी), 113, 114, 115, 116, 117(पी), 118(पी), 119, 120, 121(पी), और 124(पी) ।

सीमा बर्णन

1-2 लाइन ग्राम नौरहिया में प्लॉट संख्या 107 और 106 से होकर गुजरती है (अर्थात् रेलवे अर्जित भूमि की भागत : दक्षिणी सीमा के साथ)

2-3-4-5 लाइनें ग्राम नौरहिया में प्लॉट संख्या 106, 121 और 124 से होकर गुजरती है और बिन्दु '5' पर मिलती है ।

5-6 लाइन ग्राम नौरहिया में प्लॉट संख्या 124, 117, 118, 117, और 110 से होकर गुजरती है और बिन्दु '6' पर मिलती है ।

6-1 लाइन ग्राम नौरहिया में प्लॉट संख्या 110, 111, 110, 112, 109, 108, और 107 से होकर गुजरती है और बिन्दु '1' पर मिलती है ।

उपखंड—iii

सभी अधिकार

क्रम संख्या	ग्राम	तहसील	तहसील संख्या	जिला	क्षेत्र	टिप्पणियां
1.	गोर्बी	दिम्रोसर	—	सिध्द		भाग
कुल क्षेत्र :—0.12 एकड़ (लगभग) अथवा :—0.05 हेक्टेयर (लगभग)						

ग्राम गोर्बी में अर्जित प्लॉटों की संख्या :—

367 (पी) और 366(पी) ।

सीमा बर्णन

11-12-13 लाइनें ग्राम गोर्बी में प्लॉट संख्या 367 और 366 से होकर गुजरती हैं और बिन्दु '13' पर मिलती हैं ।

13-11 लाइन ग्राम गोर्बी में प्लॉट संख्या 366 और 367 से होकर गुजरती है और बिन्दु "11" पर मिलती है ।

[सं० फा० 1(17)/71-को० 3]

के० सुब्रह्मण्यन, अधीक्षक ।

ELECTION COMMISSION OF INDIA*New Delhi, the 23rd February 1972*

S.O. 997.—Whereas, the Election Commission is satisfied that the functions of the office of the district election officer for the district of Hissar in the State of Haryana cannot be performed satisfactorily by one officer;

Now, therefore, in pursuance of the proviso to sub-section (1) and of sub-section (2) of section 13AA of the Representation of the People Act, 1950 and in partial modification of its notification No. 508/HN/66, dated the 22nd December, 1966, the Election Commission, in consultation with the Government of Haryana, hereby designates the Deputy Commissioner and the Additional Deputy Commissioner of the district of Hissar as the district election officers for the district and specifies that the Additional Deputy Commissioner shall exercise jurisdiction as district election officer in respect of the areas comprised in 75-Thana, 76-Fatehabad and 77-Badopal assembly constituencies in the said district and the Deputy Commissioner shall exercise jurisdiction as district election officer in respect of the remaining areas of the district of Hissar.

[No. 508/HN/72.]

By order,
A. N. SEN, Secy.**भारत निर्वाचन आयोग**

नई दिल्ली, 23 फरवरी, 1972

एम० प्रो० 997.—निर्वाचन आयोग का यह समाधान हो गया है कि हरयाणा राज्य में हिसार जिले के जिला निर्वाचन आफिसर के पद के कृत्यों का एक आफिसर द्वारा समाधानप्रद रूप से पालन नहीं किया जा सकता;

अतः, अब, लोक प्रतिनिधित्व अधिनियम, 1950 की धारा 13 कक की उपधारा (1) के परन्तुक तथा उपधारा (2) के अनुसरण में और अपनी अधिसूचना सं० 508/हर० 66, तारीख 22 दिसम्बर, 1966 को आंशिक रूप से उपान्तरित करते हुए, भारत निर्वाचन आयोग हरयाणा सरकार के परामर्श से हिसार जिले के उपायुक्त और अपर उपायुक्त को उस जिले के लिए जिला निर्वाचन आफिसरों के रूप में एतद्वारा पदामिहित करता है और यह विनिर्दिष्ट करता है कि अपर उपायुक्त उक्त जिला के 75—टोहना, 76—फतेहाबाद और 77—बाडोपल सभा निर्वाचन क्षेत्रों में समाविष्ट क्षेत्रों की बाबत जिला निर्वाचन आफिसर के रूप में अधिकारिता का प्रयोग करेगा और उपायुक्त हिसार जिले के बाकी क्षेत्रों की बाबत जिला निर्वाचन आफिसर के रूप में अधिकारिता का प्रयोग करेगा।

[सं० 508/हर०/72]

आदेश से,

ए० एन० सेन, सचिव,

MINISTRY OF INFORMATION AND BROADCASTING*New Delhi, the 3rd February 1972*

S.O. 998.—The Central Government hereby accept the resignation of Shri Nirmal Goswami from membership of the Advisory Panel, Central Board of Film Censors, Calcutta with effect from the 2nd February, 1972.

[No. 11/4/71-F(C).]

सूचना और प्रसारण मंत्रालय

नई दिल्ली, 3 फरवरी, 1972

एस० प्रो० 998.—केन्द्रीय सरकार एतद्वारा श्री निर्मल गोस्वामी का 2 फरवरी, 1972 से सलाहकार पैनल, केन्द्रीय फिल्म सेंसर बोर्ड, कलकत्ता की सदस्यता से त्याग-पत्र स्वीकार करती है।

[सं० 11/4/71-एफ०(सी०)]

New Delhi, the 23rd February 1972

S.O. 999.—In exercise of the powers conferred by Rule 10 of the Cinematograph (Censorship) Rules, 1958, the Central Government has been pleased to continue the appointment of Shri R. S. Saigal, Superintendent, Central Board of Film Censors, as officiating Secretary to Chairman, Central Board of Film Censors, Bombay, with effect from 20th January, 1972 to 5th March, 1972 vice Shri V. S. Shroff granted leave.

[No. 2/18/72-FC.]

नई दिल्ली, 23 फरवरी, 1972

एस० प्रो० 999.—चलचित्र (सेंसर) नियमावली, 1958 के नियम 10 द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए, केन्द्रीय सरकार श्री आर० एस० सैगल, अधीक्षक, केन्द्रीय फिल्म सेंसर बोर्ड की अध्यक्ष, केन्द्रीय फिल्म सेंसर बोर्ड, बम्बई के स्थापित सचिव के रूप में नियुक्ति को श्री वी० एस० थाफ, जिनको छुट्टी प्रदान की गई, के स्थान पर 20 जनवरी, 1972 से 5 मार्च, 1972 तक जारी रखती है।

[सं० फा० 2/18/72-एफ०(सी०)]

New Delhi, the 30th March 1972

S.O. 1000.—In exercise of the powers conferred by rule 10 of the Cinematograph (Censorship) Rules, 1958, and in continuation of this Ministry's Notification No. 2/18/72-FC, dated 23rd February, 1972, the Central Government has been pleased to continue the appointment of Shri R. S. Saigal, Superintendent, Central Board of Film Censors, as officiating Secretary to Chairman, Central Board of Film Censors, Bombay, with effect from 6th March, 1972 to 17th March, 1972 vice Shri V. S. Shroff granted leave.

[No. F. 2/18/72-FC.]

नई दिल्ली, 30 मार्च 1972

एस० प्रो० 1000.—चलचित्र (सेंसर) नियमावली, 1958 के नियम 10 द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए, तथा इस मंत्रालय की अधिसूचना संख्या 2/18/72-एफ०सी०., दिनांक 23 फरवरी, 1972 के क्रम में, केन्द्रीय सरकार श्री आर० एस० सैगल, अधीक्षक, केन्द्रीय फिल्म सेंसर बोर्ड, की अध्यक्ष, केन्द्रीय सेंसर बोर्ड, बम्बई के स्थानापन्न सचिव के रूप में नियुक्ति को श्री वी० एस० थाफ, जिनको छुट्टी प्रदान की गई, के स्थान पर 6 मार्च, 1972 से 17 मार्च, 1972 तक जारी रखती है।

[संख्या एफ० 2/18/72-एफ०(सी०)]

ORDERS

New Delhi, the 25th March 1972

S.O. 1001.—In pursuance of the directions issued under the provisions of the enactments specified in the First Schedule annexed hereto the Central Government after considering the recommendations of the Film Advisory Board, Bombay hereby approves the film specified in column 2 of the Second Schedule annexed hereto in all its language versions to be of the description specified against it in column 6 of the said Second Schedule.

THE FIRST SCHEDULE

- (1) Sub-Section (4) of the Section 12 and Section 16 of the Cinematograph Act, 1952 (Central Act XXXVII of 1952)
 (2) Sub-section (4) of Section 5 of Uttar Pradesh Cinemas (Regulation) Act, 1955 (Uttar Pradesh Act 3 of 1956).

THE SECOND SCHEDULE

S. No.	Title of the film	Length 35 mm	Name of the Applicant	Name of the Producer	Whether a Scientific film or a film intended for educational purposes or a film dealing with news and current events of a documentary film.
1	2	3	4	5	6
1.	Uttar Pradesh Sama- char No. 12.	298.09 M	Director of Information Government of Uttar Pradesh, Lucknow.		Film dealing with news and current events (For release in U.P. Circuit only).

[No. 28/1/72-F P—App. 1646]

आदेश

नई दिल्ली, 25 मार्च, 1972

एस० ओ० 1001.—इसके साथ लगी प्रथम अनुसूची में निर्धारित प्रत्येक अधिनियम के उपबन्ध के अन्तर्गत जारी किए गए निदेशों के अनुसार केन्द्रीय सरकार, फिल्म सलाहकार बोर्ड, बम्बई की सिफारिशों पर विचार करने के बाद, एतद्वारा इसके साथ लगी द्वितीय अनुसूची के कालम 2 में दी गई फिल्म को उसके सभी भाषाओं के रूपान्तरों सहित जिसका विवरण उसके सामने उक्त द्वितीय सूची के कालम 6 में दिया हुआ है, स्वीकृत करती है :—

प्रथम अनुसूची

- (1) चलचित्र अधिनियम, 1952 (1952 का 37 वां केन्द्रीय अधिनियम) की धारा 12 की उपधारा (4) तथा धारा 161
 (2) उत्तर प्रदेश सिनेमा (विनियम) अधिनियम 1955 (1956 का तीसरा) उत्तर प्रदेश अधिनियम की धारा 5 की उपधारा (4) ।

द्वितीय अनुसूची

क्रम संख्या	फिल्म का नाम	लम्बाई 35 मि० मी०	आवेदक का नाम	निर्माता का नाम	क्या वैज्ञानिक फिल्म है या शिक्षा संबंधी फिल्म है या समाचार और सामयिक घटनाओं की फिल्म है या डाकु-मैत्री फिल्म है
(1)	(2)	(3)	(4)	(5)	(6)
(1)	उत्तर प्रदेश समाचार संख्या 12	298.09 मीटर	सूचना निदेशक, उत्तर प्रदेश सरकार, लखनऊ	1	समाचार और सामयिक घटनाओं की फिल्म (केवल उत्तर प्रदेश सर्किट के लिए)

[संख्या फाइल 28/1/72—एफ पी परिशिष्ट 1646]

S.O. 1002.—In pursuance of the directions issued under the provisions of each of the enactments specified in the First Schedule annexed hereto, the Central Government after considering the recommendations of the Film Advisory Board, Bombay hereby approves the film specified in column 2 of the Second Schedule annexed hereto in Gujarati to be of the description specified against it in column 6 of the said Second Schedule.

THE FIRST SCHEDULE

- (1) Sub-Section 4 of the Section 12 and Section 16 of the Cinematographic Act, 1952 (Central Act XXXVII of 1952).
- (2) Sub-Section (3) of Section 5 and Section 9 of the Bombay Cinemas (Regulation) Act, 1953 (Bombay Act XVII of 1953).
- (3) Sub-Section (4) of Section 5 and Section 9 of the Saurashtra Cinemas (Regulation) Act, 1953 (Saurashtra Act XVII of 1953).

THE SECOND SCHEDULE

Sl. No.	Title on the film	Length 35 mm	Name of the Applicant	Name of the Producer	Whether a Scientific film or a film intended for educational purposes or a film dealing with news and current events or a documentary film.
1	2	3	4	5	6
(1)	Mahitichitra No. 147	289.56 M	Director of Information, Government of Gujarat, Ahmedabad.		film dealing with news and current events (For release in Gujarat Circuit only).

[No. F. 28/1-72-F.P. Apr. 1972]

एस० ओ० 1002.—इसके साथ लगी प्रथम अनुसूची में निर्धारित प्रत्येक के अधिनियम के उपबन्ध के अन्तर्गत जारी किए गए निर्देशों के अनुसार, केन्द्रीय सरकार, फिल्म सलाहकार बोर्ड, बम्बई की सिफारिशों पर विचार करने के बाद, एतद्वारा इसके साथ लगी द्वितीय अनुसूची के कालम 2 में दी गई फिल्म को उसके गुजराती भाषा गपान्तों सहित जिसका विवरण उसके सामने उक्त द्वितीय अनुसूची के कालम 6 में दिया हुआ है, स्वीकृत करती है :—

प्रथम अनुसूची

- (1) चलचित्र अधिनियम, 1952 (1952 का 37 वां केन्द्रीय अधिनियम) की धारा 12 की उपधारा (4) तथा धारा 13।
- (2) बम्बई सिनेमा (विनियम) अधिनियम 1953 (1953 का 17 वां बम्बई अधिनियम) की धारा 5 की उपधारा (3) तथा धारा 9।
- (3) सौराष्ट्र सिनेमा (विनियम) अधिनियम 1953 (1953 का 17 वां सौराष्ट्र अधिनियम) की धारा 5 की उपधारा (4) तथा धारा 9।

द्वितीय अनुसूची

क्रम संख्या	फिल्म का नाम	लम्बाई 35 मि० मी०	आवेदक का नाम	निर्माता का नाम	क्या वैज्ञानिक फिल्म है या शैक्षणिक सम्बन्धि फिल्म है या समाचार और सामायिक घटनाओं की फिल्म है या शक्तिमैत्री फिल्म है।
(1)	(2)	(3)	(4)	(5)	(6)
(1)	महितीचित्रा संख्या 147	289.56 मीटर	सूचना निदेशक, गुजरात सरकार, अहमदाबाद		समाचार और समाजिक घटनाओं की फिल्म (केवल गुजरात सर्किट के लिए)

[संख्या फ० 28/1/72-एफ पी० परिशिष्ट 1642]

S.O. 1003.—In pursuance of the directions issued under the provisions of the enactments specified in the First Schedule annexed hereto the Central Government after considering the recommendations of the Film Advisory Board, Bombay hereby approves the films specified in column 2 of the Second Schedule annexed hereto in all its language versions to be of the description specified against it in column 6 of the said Second Schedule.

THE FIRST SCHEDULE

- (1) Sub-Section (4) of the Section 12 and Section 16 of the Cinematograph Act, 1952 (Central Act XXXVII of 1952)
- (2) Sub-Section (4) of Section 5 of the Punjab Cinemas (Regulation) Act, 1952 (Punjab Act XI of 1952).

THE SECOND SCHEDULE

Sl. No.	Title of the film	Length 35 mm	Name of the Applicant	Name of the Producer	Whether a Scientific film or a film intended for educational purposes or a film dealing with news and current events or a documentary film.
1	2	3	4	5	6
(1)	Haryana Samachar Darshan No. 5	287.43 M	Director of Public Relations, Government of Haryana, Chandigarh.		Film dealing with news and current events (For release in Haryana Circuit only).

[No. F. 28/1/72-FP App. 1648]

K. K. KHAN, Under Secy.

एस० ओ० 1003.—इस साथ लगी प्रथम अनुसूची में निर्धारित प्रत्येक अधिनियम के उपबंध के अन्तर्गत जारी किए गए निदेशों के अनुसार केन्द्रीय सरकार, फिल्म सलाहकार बोर्ड, बम्बई की सिफारिशों पर विचार करने के बाद एतद्वारा इसके साथ लगी द्वितीय अनुसूची के कालम 2 में दी गई फिल्म को उसके सभी भाषाओं के रूपान्तरों सहित जिसका विवरण उसके सामने उक्त द्वितीय अनुसूची के कालम 6 में दिया हुआ है, स्वीकृत करती है : —

प्रथम अनुसूची

- (1) चित्रचित्र अधिनियम, 1952 (1952 का 37 वां केन्द्रीय अधिनियम) की धारा 12 की उपधारा (4) तथा धारा 16।
- (2) पंजाब सिनेमा (चित्रचित्र) अधिनियम 1952 (1952 का 11 वां) पंजाब अधिनियम की धारा 5 की उपधारा (4)

द्वितीय अनुसूची

क्रम संख्या	फिल्म का नाम	लम्बाई 35 मि० मी०	आवेदक का नाम	निर्माता का नाम	क्या वैज्ञानिक फिल्म है या शिक्षा संबंधित फिल्म है या समाचार और सामयिक घटनाओं की फिल्म है या डाकुमैन्ट्री फिल्म है
(1)	(2)	(3)	(4)	(5)	(6)
(1)	हरियाणा समाचार दर्शन संख्या 4	387.43 मीटर	जन सम्पर्क निदेशक, हरियाणा सरकार, चंडीगढ़	समाचार और सामयिक घटनाओं की फिल्म (केवल हरियाणा सर्किट के लिए)	

[संख्या फ० 28/1/72-एफ पी परिशिष्ट 1648]

क० क० खान, सचिव ।

New Delhi, the 21st February 1972

S.O. 1004.—In exercise of the powers conferred by Rule 10 of the Cinematograph (Censorship) Rules, 1958, the President has been pleased to continue the appointment off:—

- (i) Shri V. S. Shroff, Secretary to Chairman as officiating Additional Regional Officer, Central Board of Film Censors, Bombay with effect from 17th January, 1972 to 19th January, 1972, vice Shri Amar Varma granted leave; and
- (ii) Shri R. S. Saigal, Superintendent, Central Board of Film Censors, as officiating Secretary to Chairman, Central Board of Film Censors, Bombay with effect from 17th January, 1972 to 19th January, 1972 vice Shri V. S. Shroff promoted.

[No. F. 2/65/71-FC.]

नई दिल्ली, 21 फरवरी 1972

एस० आ० 1004.—चलचित्र (सेंसर) नियमावली, 1958 के नियम 10 के द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए, राष्ट्रपति

- (1) अध्यक्ष के सचिव श्री वी० एस० थाफ की, श्री अमर वर्मा जिनको छुट्टी प्रदान की गई है, के स्थान पर 17 जनवरी, 1972 से 19 जनवरी, 1972 तक, स्थानापन्न अतिरिक्त प्रादेशिक अधिकारी, केन्द्रीय फिल्म सेंसर बोर्ड, बम्बई, के पद पर तथा
- (2) केन्द्रीय फिल्म सेंसर बोर्ड में अधीक्षक श्री आर० एम० सैंगल की श्री वी० एस० थाफ, जिनकी पदोन्नति हुई है, के स्थान पर, 17 जनवरी, 1972 से 19 जनवरी, 1972 तक, केन्द्रीय फिल्म सेंसर बोर्ड, बम्बई के अध्यक्ष के स्थानापन्न सचिव के पद पर, नियुक्ति जारी रखते हैं।

[संख्या० फा० 2/65/71-एफ (सी)]

New Delhi, the 28th February 1972

S.O. 1005.—In pursuance of the resolution of the Government of India in the Ministry of Information and Broadcasting No. 1/29/58-FP dated the 5th February, 1959, as amended from time to time, the Central Government hereby nominates Shri Virendra

D. Vyas, Chairman, Central Board of Film Censors as the Chairman of the Film Advisory Board, Bombay with immediate effect vice Brig. R. Sreenivasan, retired.

[No. 28/3/70-FP.]

नई दिल्ली, 28 फरवरी, 1972

फा० आ० 1005.—भारत सरकार के सूचना और प्रसारण मन्त्रालय के समय समयपर संशोधित संकल्प संख्या 1/29/58-एफ (पी), दिनांक 5 फरवरी, 1959 के अनुसरण में केन्द्रीय सरकार ने केन्द्रीय फिल्म सेंसर बोर्ड के अध्यक्ष श्री वीरेन्द्र देव व्यास को तत्काल से सेवा-निवृत्त ब्रिगेडियर आर० स्त्रीनिवासन के स्थान पर फिल्म सलाहकार बोर्ड, बम्बई का अध्यक्ष नियुक्त किया जाता है।

[सं 28/3/70-एफ० पी०]

CORRIGENDUM

New Delhi, the 28th February 1972

S.O. 1006.—In the Ministry of Information and Broadcasting Notification No. 28/3/70-FP dated 18th January, 1972, for the words "Jamshedji Bhaba", the following should be substituted "Jamshed Bhaba".

[No. 28/3/70-FP.]

C. B. GIRIDHAR, Dy. Secy.

शुद्धिपत्र

नई दिल्ली, 28 फरवरी, 1972

सं० आ० 1006.—सूचना और प्रसारण मन्त्रालय की अधिसूचना संख्या 28/3/70-एफ (पी) तारीख 18 जनवरी, 1972 में 'जमशेदजी भाभा' शब्दों के स्थान पर निम्नलिखित प्रतिस्थापित किया जाए:—

"जमशेद भाभा"

[सं 28/3/70-एफ(पी)]

सी० बी० गिरिधर, उप सचिव।

MINISTRY OF SHIPPING AND TRANSPORT

(Transport Wing)

New Delhi, the 8th February 1972

S.O. 1007.—In exercise of the powers conferred by sub-section (7) of section 63 of the Motor Vehicles Act, 1939 (4 of 1939), and in supersession of the notification of the Government of India in the Ministry of Shipping and Transport (Transport Wing) No. 39-TAG(3) 71, dated the 23rd September, 1971, the Central Government hereby specifies the number of permits valid for the whole of India, as specified in column (2) of the Table below which the State Transport Authority of any State or Union territory may, for the purpose of promoting tourism, grant in respect of the clauses of tourist vehicles specified in the corresponding entry column (1) of the said Table.

Class of tourist vehicle (1)	Number of permits. (2)
(i) Tourist motor cab	100
(ii) Tourist omnibus with passenger capacity not exceeding 29	15
(iii) Tourist omnibus with passenger capacity exceeding 29	10

[No. 39-TAG(3)/71]

HARBANS SINGH, Dy. Secy

नौबहन तथा परिवहन

(1)

(2)

(परिवहन पक्ष)

नई दिल्ली, 9 फरवरी, 1972

एस० ओ० 1007.—मोटर गाड़ी अधिनियम, 1939 (1939 का 4) की धारा 63 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के नौबहन तथा परिवहन मंत्रालय (परिवहन पक्ष) की अधिसूचना संख्या 39-टी०ए०जी०(3)/71 दिनांक 13 मितम्बर, 1971 के अधि-क्रमण में निम्नलिखित सारणी के स्तम्भ (2) में यथानिर्दिष्ट केन्द्रीय सरकार एतद्वारा समस्त भारत के लिए वैध परमिटों की संख्या को निर्दिष्ट करती है, जिन्हें किसी राज्य या संघीय क्षेत्र का कोई राज्य परिवहन प्राधिकारी पर्यटन को बढ़ावा देने के प्रयोजन से उक्त सारणी के स्तम्भ (1) के तदनुसार प्रविष्टि में निर्दिष्ट पर्यटक गाड़ियों की श्रेणियों के सम्बन्ध में प्रदान कर सकता है :

[सारणी]

पर्यटक गाड़ी की श्रेणी	परमिटों की संख्या
(1)	(2)
1—पर्यटन मोटर गाड़ी	100
2—पर्यटक ओमनी बस	
जिसमें 29 यात्रियों को बैठने के लिए आवश्यक जगह से अधिक की क्षमता नहीं है।	15

3—पर्यटक ओमनी बस

जिसमें 29 यात्रियों के बैठने के लिये आवश्यक जगह से अधिक की क्षमता है।

10

[सं० 39-टी०ए०जी०(3)/71]

हरबन्स सिंह, उप सचिव।

(Transport Wing)

New Delhi, the 9th August 1971

S.O. 1008.—In pursuance of sub-section (6) of Section 63 of the Motor Vehicles Act, 1939 (4 of 1939) and in supersession of the notification of the Government of India in the late Ministry of Transport and Communications (Department of Transport) No. S.O. 1788 dated the 2nd August, 1958, the Central Government hereby specifies that the form of special distinguishing mark to be assigned to public service vehicles covered by special permits referred to in the said sub-section shall be as indicated below, and further specifies that the said distinguishing mark shall be displayed prominently on the wind-screen of the said vehicle.

Special distinguishing mark

Dimensions:

Border—1"

Overall Diameter—4"

Colour:

Centre—Light Blue

Border—Red



[No. 39-TAG(26)/70.]

K. BALAKRISHNAN, Dy. Secy.

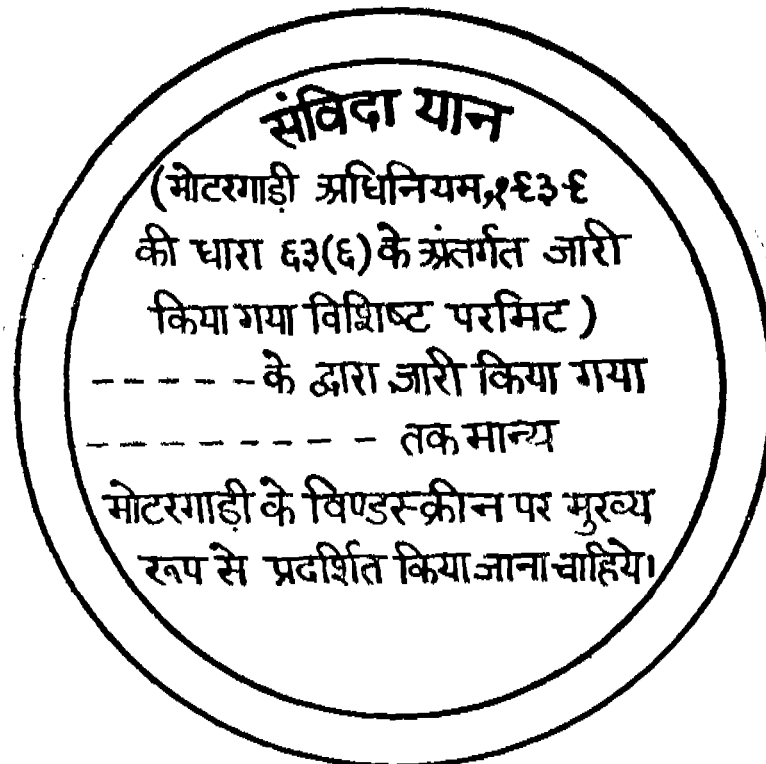
(परिवहन पत्र)

नई दिल्ली, 9 अगस्त, 1971

एस० नो० 1008.—मोटर गाड़ी अधिनियम, 1939 (1939 का 4) की धारा 63 की उपधारा (6) के अनुसरण में श्री भारत सरकार के भूतपूर्व परिवहन और संचार मंत्रालय की अधि-

सूचना सं० का० प्रा० 1788 दिनांक 2 अगस्त, 1958 के अधि-
क्रमण में केन्द्रीय सरकार एतद्वारा उल्लिखित करती है कि सरकारी
सेवा मोटर गाड़ियों, जो उक्त उपधारा में उल्लिखित विशिष्ट
परमिटों के अन्तर्गत आती हैं, को दिया जाने वाला पहिचान चिन्ह
नीचे दिया गया होगा, और यह भी उल्लिखित करती है कि उक्त
पहचान चिन्ह उक्त मोटर गाड़ी के विण्डस्क्रीन पर प्रमुख रूप से
प्रदर्शित किया जायेगा।

विशिष्ट पहचान चिन्ह



परिमाण :

बाइर : 1/4"

सम्पूर्ण व्यास 4"

रंग :

केन्द्र : हल्का नीला

बोर्डर : लाल

[सं० 39-टी०ए०जी०(26)/70]

के० बासकुण्णम्, उप-सचिव।

